Proceedings of the Council

BENGAL LEGIS
24 JAN

OF THE

LIEUT.-GOVERNOR OF BENGAL.

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JANUARY TO DECEMBER, 1905

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B. S. Press—12861—300—22-2-1906—J. S.

Abstract of the Proceedings of the Council of the Lieutenant-Governor of Bengal, assembled under the provisions of the Indian Councils Acts, 1861 and 1892.

The Council met in the Council Chamber on Saturday, the 7th January, 1905, at 11 A.M.

Present:

The Hon'ble SIR ANDREW FRASER, K.C.S.I., Lieutenant-Governor of Bengal, *presiding*.

The Hon'ble MR. L. HARE, C.I.E.

The Hon'ble MR. K. G. GUPTA.

The Hon'ble MR. B. L. GUPTA.

The Hon'ble MR. P. O'KINEALY, Advocate-General of Bengal.

The Hon'ble MR. E. W. COLLIN.

The Hon'ble MR. R. W. CARLYLE, C.I.E.

The Hon'ble MR. D. B. HORN, C.I.E.

The Hon'ble MR. L. P. SHIRRES.

The Hon'ble MR. A. EARLE.

The Hon'ble MR. R. T. GREER, C.S.I.

The Hon'ble MAHARAJA SIR RAVNESWAR PROSHAD SINGH, BAHADUR, K.C.I.E., of Gidhour.

The Hon'ble BABU KALI PADA GHOSH, M.A., B.L.

The Hon'ble BABU SALIGRAM SINGH.

The Hon'ble MR. C. F. LARMOUR.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

The Hon'ble BABU NALIN BEHARI SIRCAR, C.I.E.

[*Babu Nalin Behari Sircar ; Mr. Shirres.*]

QUESTIONS AND ANSWERS.

APPOINTMENT OF DISTRICT ENGINEERS

The Hon'ble BABU NALIN BEHARI SIRCAR, in the absence of the Hon'ble BABU BHUPENDRA NATH BASU, asked:—

Will the Government be pleased to inform how the rules made under clauses (9) (*p*) and (*m*), section 138, of the Local Self-Government Act, issued under Notification No. 3334L.S.-G., dated 10th December, 1901, have worked with reference to the following matters:—

I. How many vacancies in the ranks of District Engineers occurred, especially in class I, grade I districts, since the enforcement of the new rules, and in how many of such vacancies existing District Engineers approved by Government as fit for those districts have been appointed?

II. Is it a fact that vacancies occurred at Saran and Champaran, but none of the persons included in the Chief Engineer's list (*vide* rule 12) have been appointed, though some of them applied for the posts? If so, will the Government be pleased to state the reasons which led to the disregarding of the rules?

III. Is it not difficult, under the present rules, to get properly qualified Engineers for temporary vacancies when an officer takes long leave, to wit Backergunge, a district of class I? Will the Government please state what is being done to remedy this state of things?

IV. Under rule 5, District Engineers are required to retire on attaining the age of 55 years, and can only be retained with the sanction of the Government. Is it a fact that two European District Engineers have been allowed to remain in service, though one is about 65 years old and the other close on 60—a concession which is not allowed by Government to officers in other branches of public service? Will the Government be pleased to state the grounds on which the services of these officers have been retained, when there are officers in the Government list fully qualified to hold these appointments but are on receipt of lesser pay owing to there being no vacancies?

V. Of the 42 districts where the Local Self-Government Act is in force, 11 have been classed as grade I regarding District Engineer's pay (Rs 600 rising to Rs. 800). Of these 11 posts, 10 are held by Europeans, although numerically the strength of the Native Engineers to Europeans in the service is as 3 to 2. Will the Government be pleased to remedy this state of things, and make a fairer distribution of these posts, specially as there are districts in this grade where there is no specialized European interest?

VI. Is it true that in the opinion of several high Government officials, the recent rules have not worked well; and if so, will the Government be pleased to take steps to re-cast the rules so that there may be a fair prospect of transfers and promotions in the service through which large sums of public money, both Local and Provincial, are annually spent?

VII. Will the Government be pleased, in re-casting the rules or otherwise, to give effect to the pledge given by Sir Ashley Eden at the time of establishing the Sibpur College that the alumni of that College were to have all Road Cess appointments?

The Hon'ble MR. SHIRRES replied:—

"THE simplest way to answer my hon'ble friend is first to explain the nature of the appointments held by District Engineers and the manner in which such appointments are made, and then to reply to the specific questions asked.

"Each appointment to the post of District Engineer is made separately by the District Board concerned under the powers vested in it by section 33 of the Bengal Local Self-Government Act of 1885. Under the first proviso to that section the confirmation of the Commissioner of the Division is necessary, but the appointments are not made by, nor are they subject to the approval of, the Local Government. The action of the Local Government is confined to laying down rules regarding the qualifications of candidates for employment

[*Mr. Shirres.*]

as District Engineer, and the District Boards are required, by the third proviso of the section referred to, to conform to such rules. Except in respect of the qualifications of the candidates, the choice of the District Boards is unrestricted, and they are under no obligation to choose an Engineer serving in another district; nor has an Engineer serving in one district any claim to be appointed to a vacancy occurring in another district. The professional qualifications laid down by Government have been made to vary with the pay which is given, and the standard is raised as the pay is raised. To enable these standards to be laid down, the posts of District Engineer have been divided into classes and grades, but the service is not 'a graded service' in the sense in which that expression is ordinarily understood. There is therefore no '*Service*' of District Engineers similar to the Public Works Service, or the Police Service, or the Education Service. Moreover, under the Bengal Local Self-Government Act of 1885, the Lieutenant-Governor has no power to transfer a District Engineer from one district to another without the consent of the District Boards concerned, and such transfers are therefore very rarely made.

"The Hon'ble Member apparently desires that the District Engineers should be formed into a graded service on the lines of the Police, the Education and other services. It is essential to the administration of such a service that the power of appointment and transfer should rest with the Government, and the proposal of the Hon'ble Member could not therefore be given effect to without an alteration of the law. The Local Self-Government Act is however at present before this Council, and the requisite change in it could be made without difficulty. A graded service possesses obvious administrative advantages over a number of detached and isolated appointments, and the suggestion that the District Engineers should be formed into such a service has been made to the Government on more than one occasion. The suggestion has not hitherto been seriously considered with a view to legislation, because no very strong case has been made out, and the District Boards are believed to attach great importance to the privilege of appointing their own District Engineers. But if it is thought that a strong case exists, and that the matter should now be taken up, a circular can easily be issued to the District Boards; and if the District Boards themselves, or a majority of them, desire that the change should be made, the requisite amendment will be introduced into the Bill which is now before the Council.

"The following are the answers to the specific questions asked by the Hon'ble Member:—

"I and II.—The first two questions may be answered together. The new rules were published on 20th December, 1901, and since then two vacancies have occurred in class I, grade I districts, namely, at Saran and Champaran. The names of 19 District Engineers are contained in the Chief Engineer's list as qualified to hold appointments in class I districts, but of these 12 are already in charge of districts in class I, grade I. Of the remaining 7, 4 are Europeans and 3 are natives. The District Boards of Saran and Champaran did not however select any of these District Engineers, but advertised for applicants. Two applicants were selected; and as they possessed the necessary professional qualifications, they as a matter of course obtained the requisite certificates from the Chief Engineer, and they were appointed. In the 31 districts which are not included in class I, grade I, eight vacancies have occurred in the post of District Engineer subsequent to the publication of the new rules. One of these appointments is still vacant, three have been filled temporarily, and for two of the remaining four District Engineers serving in other districts have been selected by the District Boards concerned. There has been no disregard of the rules.

"III.—Difficulty has sometimes been felt in filling temporary vacancies. No special remedy seems to be called for.

"IV.—Rule 5 to which the Hon'ble Member refers reads as follows:—

"No District Engineer shall be retained in the service of a District Board after he has attained the age of 55 years, except with the sanction of the Local Government and subject to such conditions as it may think fit.

[*Mr. Shirres; Babu Ambica Charan Mazumdar; Mr. Earle.*]

"Two District Engineers, of whom one attained the age of 60 in November, 1904, and the other will attain the age of 64 in March, 1905, have been granted each an extension of service for one year. The District Boards preferred retaining those officers with their long experience to appointing new men; the officers themselves were reported to be efficient and to be capable of performing their duties satisfactorily; and special recommendations were submitted to the Government by the Commissioners of the Divisions concerned. The retention of these District Engineers in service did not, as would be the case in a graded service, affect the promotion of junior officers, and the Lieutenant-Governor, after fully considering the cases, accepted the recommendations of the District Boards.

"V and VI.—Questions V and VI have already been sufficiently answered.

"VII.—The pledge given by Sir Ashley Eden, to which my hon'ble friend alludes, referred only to appointments which were made by the Lieutenant-Governor, and which were such as could be given to graduates of the Sibpur College immediately on the conclusion of their curriculum. Information regarding the guaranteed appointments will be found in the Resolutions of the Lieutenant-Governor in the Public Works Department, dated 13th December, 1893, and 4th April, 1901, which were published in the Calcutta Gazette of 27th December, 1893 and 10th April, 1901, respectively."

LANDLORDS' FEES AND WATER-SUPPLY

The Hon'ble BABU AMBICA CHARAN MAZUMDAR said:—

From the statements furnished by Government at a meeting of the Council, held on the 17th December, 1904, it appears that out of a total sum of nearly 12 *lakhs* of rupees "paid" as "landlord's fee" under the provisions of the Bengal Tenancy Act, during the last nineteen years, over $9\frac{1}{2}$ *lakhs* of rupees are now "held in deposit," and that there is apparently no disposition on the part of the payees to accept these deposits.

(*a*) Under the circumstance, will the Government be pleased to make over these deposits in the various districts to their respective District Boards with express direction to utilize them for the special purpose of water-supply and on condition that should any of the payees ever demand payment of the money so deposited on his account, the District Board concerned will have to make good such payment?

(*b*) Will the Government be further pleased to consider the propriety of establishing in the hands of the District Boards the nucleus of a fund for water-supply with the aid of the "landlord's fees" thus held in deposit, supplemented by any grant that Government may be able to make from the Provincial Revenues, together with all charitable contributions which may from time to time be made for the purpose by private individuals?

The Hon'ble MR. EARLE replied:—

"(1) Government is not prepared to make over sums deposited as landlords' fees under the Bengal Tenancy Act in the various districts to the District Boards for purposes of water-supply on the condition suggested. In so far as these deposits become the property of Government by lapse of time, they form part of the consolidated revenue of the Provincial Government, which is required to meet its ordinary expenditure; and Government is not prepared to admit that local bodies have any claim to such deposits for local expenditure.

"(2) The questions whether legislation should be undertaken in regard to the provisions of the Bengal Tenancy Act under which these fees are levied, and whether any executive action can be taken for the purpose of facilitating the withdrawal from the district treasuries of money so deposited, are at the present time under the consideration of the Board of Revenue. Their report is expected shortly; and, as soon as the Lieutenant-Governor has received an expression of their views, he will pass orders in the matter without delay."

[*Babu Ambica Charan Mazumdar; Mr. Carlyle; Mr. Shirres.*]

RULES REGARDING THE RED ROAD.

The Hon'ble BABU AMBICA CHARAN MAZUMDAR asked:—

(*a*) Has the Commissioner of Police issued any instruction, or laid down any rule, prohibiting Indian gentlemen, respectably dressed in the Indian fashion, from walking or driving on the Red Road?

(*b*) If so, will the Government be pleased to consider the propriety of directing the withdrawal of such rule or instruction?

The Hon'ble MR. CARLYLE replied:—

"The Lieutenant-Governor on receiving the Hon'ble Member's question inquired into the matter. The Commissioner of Police explains that it has for many years been the practice to instruct the Constables on duty to see that no one, whether European or Indian, is allowed on the side path of the Red Road between 5 and 8 P.M. unless properly dressed. Proper dress, in the case of a road frequented by European and Indian ladies and gentlemen alike, includes complete covering of the body. Indian gentlemen have on previous occasions inquired as to the enforcement of these orders and, on the orders being explained to them, they have always been accepted as reasonable. The Lieutenant-Governor considers it unnecessary to direct the withdrawal of the instructions which appear to have been framed in the interests of the community as a whole, and which are quite in accordance with the habits of Indian gentlemen who come into general society in Calcutta."

SEPTIC TANK AT FARIDPUR.

The Hon'ble BABU AMBICA CHARAN MAZUMDAR said:—

May I enquire if it is proposed to establish a septic tank at Faridpur? If so, will the Government be pleased to inquire into the present condition of that town which, with the silting up of the river and the Dhole Somudder and with its *kutcha* drains without sufficient outlet even for the discharge of the rain water, has of late years become subject to malarial fever and other diseases? And will the Government satisfy itself thoroughly as to the advisability of such a measure, regard being had to the condition of this town, before sanctioning any decisive action in the matter?

The Hon'ble MR. SHIRRES replied:—

"A proposal has been made to try the experiment of a septic tank in the Jail at Faridpur, because the present method of disposal of the night-soil by trenching in the Jail Garden, which becomes damp and water-logged, is open to objection. Before the project is finally sanctioned, the question of the disposal of the effluent will be carefully considered in connection with the Report of the Septic Tank Committee which was published in the last issue of the Calcutta Gazette."

THE BENGAL SMOKE-NUISANCES BILL, 1904.

The Hon'ble MR. CARLYLE introduced the Bill to amend the law relating to the abatement of nuisances arising from the smoke of furnaces or fire-places in the town and suburbs of Calcutta and in Howrah, and to provide for the extension thereof to other areas in Bengal, and moved that it be read in Council. He said:—

"The motion before the Council is that the Bill to amend the law relating to the abatement of nuisances arising from the smoke of furnaces or fire-places

in the town and suburbs of Calcutta and in Howrah and to provide for the extension thereof to other areas in Bengal, be read in Council and that the Bill thereafter be referred to a Select Committee consisting of the Hon'ble Mr. Horn, the Hon'ble Mr. Larmour, the Hon'ble Mr. Apcar, the Hon'ble Babu Nalin Behari Sircar, and myself.

"On a previous occasion I very briefly explained to the Council the main points of difference between the present Bill, and Bengal Act II of 1863 (the Calcutta and Howrah Smoke Nuisances Act). I will again briefly repeat the main differences and I will then go on to deal clause by clause with the provisions of the Bill.

"The Bill makes the mere emission of smoke from any furnace in greater density or for a longer time than is permitted by rules to be framed hereafter punishable. Under the present Act it may be generally said that negligence in some form has to be proved.

"Under the Bill power has been taken entirely to forbid the exercise within certain areas of industries which are necessarily accompanied by a smoke nuisance.

"The administration of the Act is to be entrusted to a Commission composed of official and non-official members, the non-officials being selected to represent interests likely to be affected by the Act.

"Before turning to the details of the Bill I would again note that it is to some extent based on the recommendations made by Mr. Frederick Grover, an expert sent out by the Secretary of State for India to examine the question on the spot. He arrived in Calcutta in the beginning of March, 1903, and submitted his Report in July of the same year. Before submitting his Report he visited a number of factories in and around Calcutta and the colliery districts of Raniganj and Jherria. He examined the various sources of smoke, the qualities and quantities of coal used, the types of furnaces, and the methods of their use. In his Report he enumerates the following six sources of smoke in Calcutta, namely:—

(*a*) domestic fire-places in native huts;
(*b*) steam launches and ocean-going steamers;
(*c*) lime and brick kilns;
(*d*) the manufacture of coke on the Hooghly banks;
(*e*) furnaces used for heating plates and metal ingots; and
(*f*) mill and factory boilers used for the purpose of raising steam.

"In the Bill now before the Council, the first source of smoke has been altogether excluded. It would be impossible to deal with the smoke from native huts except by isolating areas responsible for the emission of such smoke. This is obviously impracticable.

"As regards the smoke from launches and ocean-going steamers, the Bill will not touch the raising of steam on ocean-going steamers not moored or anchored and not lying in dock. Such steamers must necessarily emit smoke in the process of raising steam, and as they pass beyond the limits of Calcutta in a comparatively short period of time, it would, as Mr. Grover remarked, appear impossible to impose any restrictions.

"The British Indian Association in a letter dealing with Mr. Grover's Report remarked that Mr. Grover in dealing with the sources of smoke nuisance omitted from his list—

(*a*) steam rollers;
(*b*) various railways plying in the limits of Calcutta and Howrah;
(*c*) the engine sheds of the Eastern Bengal State Railway at Tallah and at other places in Howrah and Calcutta; and
(*d*) press, electric and other installations.

"I may note that furnaces used in such cases all come within the provisions of the Bill.

[*Mr. Carlyle.*]

"I will now turn to the details of the Bill.

"Clause 1 provides that it shall extend to the town and suburbs of Calcutta as defined in the Calcutta and Suburban Police Acts, respectively; also to the station of Howrah as described in a schedule to the Howrah Offences Act. The present Bill provides that the Local Government may extend the Act under certain conditions specified in clause 2 to other areas.

"As regards clause 2 provision is being made for the hearing of objections to any extension of the area, and in the case of military cantonments it is laid down that the previous sanction of the Governor General in Council is required.

"The important point to note in clause 3 is the definition of 'furnaces.' It will be seen that it includes furnaces or fire-places which may be the source of nuisance under any of the heads I have stated above, saving furnaces or fire-places used for household or domestic purposes or for the raising of steam on ocean-going steamers. Under the present Act the term 'furnace' does not apply to locomotive engines used wholly upon railways nor to steam vessels unless employed as ferry boats.

"Clause 4 provides for the constitution of a Commission to supervise and control the working of the Act. This proposal is one which I think will meet with the approval of the Council as half the members are to be composed of non-officials selected to represent interests likely to be affected by the Act. It is very important while the whole question of dealing with smoke nuisances is more or less in an experimental stage, that Government should be assisted by the advice of business men interested in seeing that no undue restrictions are placed on industries affected by the Bill.

"Clause 5 provides for the appointment of a Chief Inspector and so many Assistant Inspectors of Smoke Nuisances as the Local Government may think fit. Mr. Grover remarks under this head that the Chief Inspector of Smoke Nuisances should be 'a competent engineer, well versed in the use of smoke abatement appliances. He should be a man of resource who could be relied upon to exercise his judgment. He should be able to undertake the application of the remedies as suggested in this Report,' *i.e.*, Mr. Grover's Report. A Committee assisted by a well qualified Chief Inspector, such as Mr. Grover suggests, and composed in part of representatives of the industries likely to be affected, is very unlikely to take hasty measures or to do anything likely to hamper trade.

"Clause 6 empowers the Local Government, in certain areas, to prohibit the erection of brick and lime kilns or of furnaces for heating metals or the making of coke. This power is taken because the emission of smoke from furnaces used for such purposes cannot be abated by any means yet known. I may note with reference to the penal clauses of this section that a reference has been made to the Government of India for an amendment of clause 2, as apparently, as the Bill now stands, it might pay to erect a furnace and work it, as after payment of a fine of Rs. 500 no further penalty could be imposed. I need not, however, deal with this question to-day which is one for the Select Committee to consider after we have received a reply from the Government of India.

"Clause 7 is the crux of the whole Bill. It provides that for the emission of smoke from a furnace in greater density or for a longer time than is permitted by rules to be made under the Act, the owner of the furnace shall be liable to fine. It will thus no longer be necessary to prove negligence. The issue before the Courts will be a comparatively simple one as to whether smoke was emitted of excessive density or for an excessive time. Mr. Grover has in paragraphs 137-141 of his Report described methods of gauging the density of smoke, and it will be possible by using one or more of these methods to produce satisfactory evidence before a Court. This clause gives effect to the principle embodied in section 268 of the Indian Penal Code that 'a person is guilty of a public nuisance who does any act which causes any annoyance to the public,' and that 'a common nuisance is not excused on the ground that it causes some convenience or advantage.' It

may be noted that this clause does not apply to furnaces referred to in clause 6 (*1*) which necessarily emit clear smoke. Such cases may be dealt with, if at all, by total prohibition. Mr. Grover proposed that the maximum time of emission of smoke of a given density should be fixed at 10 minutes and that this period should be gradually reduced as the working of the furnaces improves. Government proposes to leave the limit of time to be fixed by rules, as probably ten minutes will be too low a limit at first, and it is undesirable to be obliged to have recourse to legislation, when it becomes reasonable to reduce the maximum limit.

"Clause 8 empowers the Local Government to appoint a period within which furnaces must be constructed, altered or fitted with appliances so as to prevent smoke being emitted in such a manner as to cause a nuisance. Under Bengal Act II of 1863 all persons are bound to construct or to alter furnaces so as to consume or burn their smoke, and this section of the present Bill is less stringent than the law now in force.

"Clause 9 provides for the case of furnaces or kilns which necessarily emit smoke in such a way as to cause a nuisance. As I have already explained, such cases can only be dealt with by prohibiting the working of such furnaces or kilns in specified areas.

"Clause 10 confers on Inspectors powers that should be very useful in enabling the Committee appointed to work the new Act to deal with the question of regulating the emission of smoke from furnaces.

"Clause 11 gives power to make rules to carry out the objects of the Bill. As I have already said it is very desirable that while the question of dealing with smoke nuisances is in a more or less experimental stage, alterations that may be found desirable should not require recourse to fresh legislation.

"Clause 12 provides that cognisance will not be taken of an offence except on the complaint of an Inspector, and it lays down a limit of time after which a complaint cannot be lodged.

"Clauses 13 and 14 deal with the question of disposal of fines and the repeal of the present Act.

"I trust this Council will be satisfied that while Government is making an attempt to grapple with a steadily increasing evil, it has been most careful to do nothing that could seriously hamper any important industry. Mr. Grover points out that it is very doubtful whether the more extensive use of smoke-reducing appliances and greater care in firing will lead to increased profits, as the cost of supervision will probably swallow up the other profits, derived from the gain in efficiency, but it is due to the public that the users of furnaces should use precautions to prevent inconvenience to the public where the extra trouble and cost will be in great part repaid by the more economical working of the furnaces.

"Mr. Grover remarks in his Report:—

> It cannot be denied that the manufacturers of Calcutta have made deliberate efforts to suppress the smoke nuisance by the application of special appliances; that in many cases such efforts have failed, and the appliances have consequently been abandoned. These circumstances have given rise to the opinion that nothing further can be done. My opinion is that too much reliance has been placed on automatic devices and that all individual effort has been surrendered. Experimentation on the part of the engineering staff of a mill is never encouraged by the management even supposing that the engineers are disposed to experimental work or have time for it. Having regard to the fact that the mills are employed in unceasing production for 15 hours out of 24, that there are only five or six Europeans to overlook the work of over 2,000 work-people, it must be conceded that the energies of the engineering staff are fully taken in maintaining the machinery in efficient working order, and as a consequence of this the supervision of the stokers is one of the last considerations.
>
> I have already shown that there is a possible saving of 4 *per cent.* on the coal bill due to the combustion of smoke, but that manufacturers could not hope to realize this as profit so long as the necessity for extra supervision exists. There is, however, no hardship in insisting that the 4 *per cent.* be spent for the benefit of the public.

[*Mr. Carlyle; Babu Nalin Behari Sircar; Babu Ambica Charan Mazumdar.*]

"I trust the result of the Bill will be to induce the owners of furnaces to spend on the abatement of the smoke nuisance the savings they can effect in coal consumption by better supervision."

The Hon'ble BABU NALIN BEHARI SIRCAR said:—"I desire, on behalf of the residents of Calcutta, to congratulate the Government on the introduction of this very necessary and salutary measure. The Hon'ble Member in charge of the Bill has told us that the present law for the abatement of smoke nuisance in and around this City came into existence so far back as 1863. Since then, as we all know, the condition of things has vastly changed. With the rapid development of Mill industries in this part of the country, numerous furnaces and fire-places have been erected; and in the absence of proper regulations these have, for the most part, been indifferently constructed. The innumerable chimneys that have sprung up are of all sorts, shapes and sizes, incessantly emitting thick black smoke, containing soot and solid particles of unconsumed coal; they are a constant source of considerable trouble, inconvenience and mischief to the residents in their neighbourhood. In Calcutta, Wards Nos. 3 and 4, and possibly also Ward No. 2, are the worst sufferers in this respect; and I can bear my personal testimony to the great annoyance to which the unfortunate residents of this locality are constantly subjected. It is a matter of surprise that something was not done, much earlier during the last 40 years, to amend the present law so as to meet the growing exigencies of the situation. The Bill before us, however, now proposes to remedy the defects of the present law on the subject; and I may be permitted to express the thanks of the community to you, Sir, for bringing forward a measure intended to give relief to the suffering public. I earnestly hope and trust that the provisions of the proposed law will be so framed as to effectively remove the evil."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said:—"Any measure that is calculated to mitigate the nuisances of Calcutta and its neighbourhood must be welcome to all; for it would not only tend to remove a great stigma from this 'City of Palaces,' but also afford great relief to civilized humanity. Sir, two knighthoods seem to me as fairly settled for two persons,—one for him who may be fortunate enough to discover a remedy for cancer, and the other for him who may be successful in dealing with the nuisances of Calcutta, particularly its dust and its smoke. Although our hon'ble colleague in charge of this Bill may not have much of a chance in carrying off the prize on the strength of his present experiment, yet I think we might fairly congratulate him upon the first step he has taken towards the solution of a vexed problem.

"The Bill, as introduced by him, both in its scope as well as in its principle, is undoubtedly a distinct improvement upon the dead Act of 1863, whose archaic existence in the Statute Book has been nearly forgotten by the people and which has indeed been so very effective in its operation that, as the Hon'ble Member himself informed us in his opening speech the other day, there is hardly to be found any case for its application. The substitution of a Commission with qualified Inspectors in place of the Magistrate with his inseparable accident, the constable of the existing enactment, as the supervising and controlling authority, is an important feature of the present Bill. This Commission, if properly constituted, is likely to infuse a very active and healthy spirit in the working of the proposed measure by bringing competent and expert opinions to bear upon every case and by having a specially qualified agency which the Bill provides for enforcing its decisions.

"But, Sir, I have a little objection as to the principle involved in the constitution of this Commission. Section 4 of the Bill provides that one half of the members of the Commission shall be officials, while the other half shall be non-officials selected to represent interests likely to be affected by the proposed measure. That there are many large and influential interests likely to be so affected cannot be either denied or disputed. There is the Calcutta Corporation which is primarily interested both in the ever-increasing industries of this great city, as well as in the sanitation of the localities

affected by them. Then there are the Chamber of Commerce, the Trades Association, the Bengal National Chamber of Commerce and those various companies and associations which are either directly or indirectly interested in the numerous mills and factories with which this metropolis and its environs are studded. In my humble opinion the non-official half of the Commission should be elected by these bodies in such number or proportion as the Government may deem proper to allot. If these non-official members are really to represent the interests likely to be affected, I do not understand why the Government should undertake the responsibility of choosing their representatives instead of asking them to make their own choice. These bodies if privileged to return their own representatives can only return men of practical knowledge and experience of the subject, and the presence of such men on the Commission can only serve to strengthen the Commission itself. On the other hand, by taking the entire appointment in its own hand, Government might undertake the risk of not only being often misunderstood, but also of creating friction and opposition which cannot by any means be conducive to the successful working of the proposed measure. I would therefore suggest that the non-official half of the proposed Commission should be elected, or at all events nominated, by such bodies as may be found interested in the working of the Act.

"Sir, there are one or two other points in the Bill which also in my opinion seem to be deserving of some little attention. But as these refer to the details and not to the principle of the proposed legislation, I think I am bound to defer them for a future stage of the Bill. Subject to these remarks, I generally approve of the Bill which is before the Council and entirely agree to the motion made by the Hon'ble Member in charge of it"

The Hon'ble MR. CARLYLE said:—"I have to deal with one objection, namely, that the non-official members of the Committee should be elected and not appointed. I can see great difficulties in the way of securing any system of electing members to such a Committee, but if any workable system can be suggested it will be considered by the Select Committee and reported on. I now move that the Bill be read"

The Motion was then put and agreed to, and the Bill was read accordingly.

The Hon'ble MR. CARLYLE also moved that the Bill be referred to a Select Committee consisting of the Hon'ble Mr. Horn, the Hon'ble Mr. Larmour, the Hon'ble Mr. Apcar, the Hon'ble Babu Nalin Behari Sircar, and the Mover.

The Motion was put and agreed to.

THE SUNDARBANS BILL, 1904.

The Hon'ble MR. HARE introduced the Bill to provide for the abolition of the office of Commissioner in the Sundarbans, and moved that it be read in Council. He said:—

"I have nothing to add to what I said at the last Meeting of Council. The matter is perfectly simple and the full reasons for this Bill are explained in the Statement of Objects and Reasons. I therefore propose the measure without a speech."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said:—"All burials, whether of men or of measures, ought only to be performed in solemn silence. I would therefore silently add my shovelful of earth to bury this Commissioner in the Sundarbans. My only regret is that had this

mournful ceremony been performed some time earlier, the Government might have been spared the loss, if not also some little humiliation, which it has undoubtedly suffered only a few years back. But let the dead past bury its dead, and let us console ourselves with the homely but none the less wise saying—'Better late than never.' I fully support the Bill which the Hon'ble Mr. Hare has introduced, as I should have felt no difficulty in agreeing with him even if he had moved that the Bill be passed at once."

The Motion was then put and agreed to, and the Bill was read accordingly.

The Hon'ble MR. HARE also moved that the Bill be referred to a Select Committee consisting of the Hon'ble Mr. O'Kinealy, the Hon'ble Mr. Collin, the Hon'ble Mr. Earle, the Hon'ble Babu Bhupendra Nath Basu, and the Mover.

The Motion was put and agreed to.

The Council then adjourned to Saturday, the 28th January, 1905.

CALCUTTA;
The 13th January, 1905.

L. C. ADAMI,
Offg. Secretary to the Bengal Council and
Assistant Secretary to the Govt. of Bengal,
Legislative Department.

B. S. Press—691G—300—18-1-1905—L. N. and others.

Abstract of the Proceedings of the Council of the Lieutenant-Governor of Bengal, assembled under the provisions of the Indian Councils Acts, 1861 and 1892.

The Council met in the Council Chamber on Saturday, the 28th January, 1905, at 11 A.M.

Present:

The Hon'ble SIR ANDREW FRASER, K.C.S.I., Lieutenant-Governor of Bengal, *presiding*.

The Hon'ble MR. L. HARE, C.I.E.

The Hon'ble MR. K. G. GUPTA.

The Hon'ble MR. B. L. GUPTA.

The Hon'ble MR. P. O'KINEALY, Advocate-General of Bengal.

The Hon'ble MR. E. W. COLLIN.

The Hon'ble MR. R. W. CARLYLE, C.I.E.

The Hon'ble MR. D. B. HORN, C.I.E.

The Hon'ble MR. L. P. SHIRRES.

The Hon'ble MR. A. EARLE.

The Hon'ble MR. R. T. GREER, C.S.I.

The Hon'ble BABU BHUPENDRA NATH BASU, M.A., B.L.

The Hon'ble BABU SALIGRAM SINGH.

The Hon'ble MR. C. F. LARMOUR.

The Hon'ble MR. A. A. APCAR.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

The Hon'ble MR. J. CHAUDHURI, M.A.

The Hon'ble ASIF KADR SAIYID WASIF ALI MIRZA, of Murshidabad.

The Hon'ble RAJA BAN BEHARI KAPUR, C.S.I.

NEW MEMBERS.

The Hon'ble Mr. CHAUDHARI, the Hon'ble ASIF KADR SAIYID WASIF ALI MIRZA, of Murshidabad, and the Hon'ble RAJA BAN BEHARI KAPUR took their seats in Council.

[*Babu Ambika Charan Mazumdar; Mr. Carlyle.*]

QUESTIONS AND ANSWERS.

ALLEGED ASSAULT ON THE STATION MASTER OF BARUIPUR.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said:—

(*a*) May I invite the attention of Government to two paragraphs in the *Bengalee* of the 13th and 16th December last in which it is stated that on or about the 10th idem two Military Officers of Fort Chingreekhal assaulted the Station Master of Baruipur, in the southern section of the Eastern Bengal State Railway, while the latter was on duty. Are the facts stated in the said two paragraphs substantially correct?

(*b*) If so, will the Government be pleased to inquire what action has been taken by the Government Railway Police at Sonarpur on the telegraphic information which the Station Master is said to have then and there despatched about the occurrence?

(*c*) Is it also true that the Assistant Station Master and two porters of the station were also beaten by the said Military Officers? And will the Government be pleased to inquire if they (the Assistant Station Master and the porters), or any of them, lodged any complaint before the Police under section 121 of the Railway Act?

(*d*) Will the Government inquire and ascertain what action the Police have taken in the matter, the offences being cognizable ones? Were these cases, or any one of them, sent up by the Police for trial? If not, why not? Is the suggestion correct that the Assistant Inspector-General, Railway Police, had issued orders not to *challan* these cases?

(*e*) Is it true that the Head-Constable of Sonarpur took down the statements of the two Military Officers concerned? If so, what was their statement? Did they admit or deny the offences charged against them?

(*f*) Is it a fact that the District Magistrate of Alipur also caused an inquiry to be made into this matter? If so, what was the result of such inquiry?

(*g*) Will the Government be pleased to call for all the papers connected with this incident and satisfy itself as to whether the cases referred to should not be judicially tried and disposed of?

The Hon'ble MR. CARLYLE replied:—

"The occurrence to which the Hon'ble Member refers was reported to Government on the 12th December, 1904.

"2. On the morning of the 10th December last, two Military Officers, named Captain Chrystie and Lieutenant Ford, were travelling by train from Diamond Harbour to Calcutta with two servants. When the train arrived at Baruipur, the servants, who were in a third-class carriage, prevented some passengers from entering their compartment. An altercation ensued; and the Station Master, to whom the passengers complained, ordered the servants to alight; and, on their refusing to do so, he proceeded to remove one of them from the train by force with the help of some railway employés. The other man, who was Captain Chrystie's servant, then ran to the carriage in which his master and Lieutenant Ford were travelling and informed them that Lieutenant Ford's servant was being assaulted by some natives. The two officers on hearing this left their carriage and saw the servant struggling in the hands of five men. Lieutenant Ford went up and, in order to rescue his servant, struck at these men with a small bamboo cane which he was carrying.

"3. The Station Master of Baruipur reported the occurrence by telegram to the Officer in charge of the police outpost at Sonarpur, and also deputed the Assistant Station Master to lodge a complaint. The Head-Constable in charge at Sonarpur met the train on its arrival at that place, and, as it stopped there

[*Mr. Carlyle; Babu Bhupendra Nath Basu.*]

for only a few minutes, he came on with the party to Calcutta, the Assistant Station Master also travelling in the train with them. At Balliaghatta the Assistant Station Master and the two officers proceeded to the Railway Police Station, where the former charged Lieutenant Ford with committing an assault on the Station Master of Baruipur and on a pointsman and a porter. Lieutenant Ford admitted that he struck at the men who were holding his servant, but absolutely denied having assaulted the Station Master, and cited Captain Chrystie as a witness.

"4. It was found that the porter had a slight mark on the neck, and the pointsman a similar mark on the forehead; and it was proved that they were not in uniform at the time they were struck, and that there was nothing to show that they were railway employés. It was held, therefore, that no offence under section 121 of the Railway Act had been committed, and, as the assault was a non-cognizable offence, the informant was referred to the Criminal Courts. No complaint, however, was made before the Magistrate by either the Station Master, porter or pointsman. The action of the police was approved by the Traffic Superintendent, Eastern Bengal State Railway; and Lieutenant Ford subsequently wrote to that officer expressing regret for the occurrence, and his apology was accepted.

"5. The District Magistrate of the 24-Parganas on hearing of the occurrence also had an enquiry made, and deputed an Inspector of Police to investigate the case. The Inspector submitted a report on the subject, on receipt of which the District Magistrate came to the conclusion that the case was non-cognizable, and that it lay with the parties concerned to lodge a complaint before the Court if they desired to proceed with the matter. As already indicated, however, no such complaint was made by any of those concerned.

"6. The Lieutenant-Governor, before whom the papers were laid, also considered that, as the case was non-cognizable, it was for the aggrieved parties to take the initiative in the matter by lodging a complaint in the manner prescribed by law. In these circumstances His Honour was of opinion that it was unnecessary for Government to interfere."

THE PROVINCIAL AND SUBORDINATE CIVIL SERVICES.

The Hon'ble Babu Bhupendra Nath Basu, in the absence of the Hon'ble Babu Nalin Behari Sircar, said:—

(*a*) In the concluding sentence of paragraph 2 of the Government Resolution No. 5619A., dated the 26th December, 1904, on the subject of recruitment of the Executive branch of the Provincial Civil Service and the Subordinate Civil Service, it is stated that "they (the Government of India) came to the conclusion that the system of competitive examination is not a suitable or satisfactory system of admission to the Government service in this country. The Lieutenant Governor fully concurs in the opinion expressed by the Government of India in this matter." Will the Government be pleased to specifically state the data upon which the conclusion referred to in the quotation is based?

(*b*) In the same paragraph it is further stated:—"Sir John Woodburn replied in Mr. Buckland's letter No. 3382A., dated the 3rd August, 1902, that after a sifting inquiry he had come to the conclusion that competitive examinations did not secure for the Government even the best scholars of the University, and were otherwise unsuitable as a test of qualifications." Will the Government be pleased to state (*i*) the specific points in regard to which the sifting inquiry referred to in the quotation was made, and (*ii*) the nature and the mode of inquiry instituted?

(*c*) Will the Government be pleased to lay on the table all papers in connection with the inquiry that was held for the information of the public?

(*d*) With reference to the 33 appointments by competition (the men at the top of the list) during the last eleven years (1893 to 1904), referred to in paragraph 3 of the Resolution quoted above, will the Government be pleased to state whether (*i*) all, and, if not all, (*ii*) how many of them have proved to be unsuitable for Government service, and (*iii*) in what respects have they been found unsuitable?

[*Mr. Carlyle; Babu Bhupendra Nath Basu; Mr. Horn.*]

The Hon'ble MR. CARLYLE replied:—

"IN regard to question (*a*), the Bengal Government considers that the views of the Government of India are sufficiently explained in their Resolution of 11th March, 1904, on Indian Educational Policy; and the data on which the conclusion of the Government of India is based seem to be clearly enough indicated.

"2. In regard to question (*b*), the specific points to which the enquiry ordered by the late Sir John Woodburn was directed were: (1) as to whether the competitive system appeared to succeed in ensuring that the recruits possessed an equipment of any special value, and (2) whether there was reason to believe that its appreciation of the relative merits of the candidates was accurate. The method of enquiry adopted mainly consisted in an examination of the educational history and qualifications of the successful candidates. Both questions were answered in the negative; and it was therefore regarded as unnecessary to maintain a special examination.

"3. In regard to question (*c*), the Government does not propose to lay on the table the papers connected with that enquiry.

"4. In regard to question (*d*), it is not considered necessary to discuss the question as to how many officers appointed under competition have proved unsuitable. Unsuitable men will no doubt be appointed under any system. But it is claimed that success in the University is a better test of general ability than success in a special competitive examination."

STEAM FERRIES IN THE RIVER HOOGHLY

The Hon'ble BABU BHUPENDRA NATH BASU, in the absence of the Hon'ble BABU NALIN BEHARI SIRCAR, asked:—

(*a*) Will the Government be pleased to state what steps are being taken to amend the Calcutta Port Act for enabling the Commissioners to establish and work the steam-ferries in the river Hooghly?

(*b*) When is the Bill likely to be introduced into the Council?

The Hon'ble MR. HORN replied:—

"This Government submitted the draft of a Bill to amend the Calcutta Port Act, III of 1890, for the approval of the Government of India some months ago. This draft Bill has been amended in accordance with a suggestion made by the Government of India. One of the clauses of the draft Bill empowers the Port Commissioners to establish and work steam ferries on the Hooghly. As it is necessary for the Government of India to obtain the sanction of the Secretary of State to the proposed legislation, it will not be possible to introduce the Bill in this Council before March."

THE BENGAL SMOKE-NUISANCES BILL, 1904.

The Hon'ble Mr. Carlyle moved that the time for the preparation of the Report of the Select Committee on the Bill to amend the law relating to the abatement of nuisances arising from the smoke of furnaces or fire-places in the town and suburbs of Calcutta and in Howrah, and to provide for the extension thereof to other areas in Bengal, be extended to the 11th February next. He said:—

"It was impossible to get replies from all the bodies consulted by to-day, so that I must ask for a further extension of time."

The Motion was put and agreed to.

The Council then adjourned to Saturday, the 11th February, 1905.

CALCUTTA;
The 2nd February, 1905.

L. C. ADAMI,
Offg. Secretary to the Bengal Council.

B. S. Press—784G—800—3-2-1905—L. N.

Abstract of the Proceedings of the Council of the Lieutenant-Governor of Bengal, assembled under the provisions of the Indian Councils Acts, 1861 and 1892.

The Council met in the Council Chamber on Saturday, the 11th February, 1905, at 11 A M.

Present:

The Hon'ble SIR ANDREW FRASER, K.C.S.I., Lieutenant-Governor of Bengal, *presiding*.

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The Hon'ble MR. K. G. GUPTA.

The Hon'ble MR. B. L. GUPTA.

The Hon'ble MR. P. O'KINEALY, Advocate-General of Bengal.

The Hon'ble MR. R. W. CARLYLE, C.I.E.

The Hon'ble MR. D. B. HORN, C.I.E.

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The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

The Hon'ble MR. J. CHAUDHURI, M.A.

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The Hon'ble RAJA BAN BEHARI KAPUR, C.S.I.

[*Mr. Carlyle; Babu Bhupendra Nath Basu; Mr. Horn.*]

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STEAM FERRIES IN THE RIVER HOOGHLY

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The Council then adjourned to Saturday, the 11th February, 1905.

CALCUTTA;
The 2nd February, 1905.

L. C. ADAMI,
Offg. Secretary to the Bengal Council.

B. S. Press—784G—300—3-2-1905—L. N.

Abstract of the Proceedings of the Council of the Lieutenant-Governor of Bengal, assembled under the provisions of the Indian Councils Acts, 1861 and 1892.

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The Hon'ble MR. L. HARE, C.I.E.

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The Hon'ble MR. J. CHAUDHURI, M.A.

The Hon'ble ASIF KADR SAIYID WASIF ALI MIRZA, of Murshidabad.

The Hon'ble RAJA BAN BEHARI KAPUR, C.S.I.

QUESTIONS AND ANSWERS.

THE NORTHERN SECTION OF THE EASTERN BENGAL STATE RAILWAY.

The Hon'ble MR. CHAUDHURI asked:—

(*a*) Is it a fact that, with a view to cope with the increased traffic on the Northern Section of the Eastern Bengal State Railway and to accelerate the speed of the Darjeeling Mail Train, it has been proposed to introduce much heavier engines along the line, and is it the case that work is actually in progress, which when completed will reduce the number of bridges and culverts along the line and dam up many of the water-courses, such as the Narad, etc., in the neighbourhood of the Natore and Gopalpore Railway Stations, to save the cost of re-building the bridges and culverts which were meant for much lighter traffic, and is it also the case that the height of the existing bridges over navigable rivers along the line is being reduced with a view to avoid necessary costs of construction of bridges fit for such heavy traffic?

(*b*) Having regard to the fact that competent authorities attribute the prevalence of malarial fever and other epidemic diseases in many districts of Bengal to, amongst other causes, the obstruction of the natural drainage of the country by Railway embankments, and that malarial fever and cholera have been very prevalent along the line, particularly above and below Natore, has the Government of Bengal been consulted, and has this Government considered whether the scheme of Railway re-construction above referred to will not seriously affect the health of the people along the line of the said Railway?

(*c*) Will the Government be pleased to state what profits were made by the Northern Section of the Eastern Bengal State Railway during the year 1903-04 and during the last half year, and how much has been sanctioned for the work of re-construction above referred to? Will the Government be pleased also to lay on the table a plan of the re-construction showing the existing bridges and culverts and the proposed alterations?

The Hon'ble MR. HORN replied:—

"I propose to answer together the questions (*a*) and (*b*) which have been asked by the Hon'ble Member.

"It is a fact that heavier engines have been lately introduced on the Metre Gauge Section of the Eastern Bengal State Railway. The type of engine has been selected by the Standardization Committee appointed by the Secretary of State and it will in future be adopted on Metre Gauge lines.

"The girders on the Metre Gauge Section of the Eastern Bengal State Railway were constructed many years ago and were designed for lighter loads than those permitted by present Standards. The work now in progress on the Northern Section has been undertaken in order to strengthen the bridges to admit of the unrestricted use of the new Standard Metre Gauge Engines.

"While the girders are being altered or renewed, advantage is being taken to cut out spans which the experience of many years has shown to be redundant. Certain girders are therefore being removed and the openings beneath them filled up. There are 22 bridges containing in all 132 openings. It is intended to fill up 31 of these openings; but in no instance will any bridge be closed or the passage hitherto provided for cattle or small boats be restricted.

"No water-courses whatever are to be dammed up or interfered with; nor will the number of bridges and culverts be reduced.

"With regard to navigable rivers the girder alterations will affect the following rivers, viz., the Burral, the Narud, the Godar, the Pangul, and the Atrai. At the Burral, Godar, and Pangul rivers, the headway of the spans used for navigation is not being interfered with, but in spans not necessary to the navigation of the channels the girders are being lowered by 2 to 3 feet. At the Burral bridge which consists of 15 spans of 60 feet one span which is quite high and dry even in the flood season is being filled up. The Narud river has silted up to such an extent as to be useless except for very small boats. It contains two land spans of 40 feet and a centre span of 60 feet. The north span is quite dry and is being filled up. The centre span is being altered to

two spans of 30 feet. The south span is quite dry; but as a road passes under it it will be retained. The girders on the Narud bridge are to be lowered about 3 feet, as the headway originally provided for boats of considerable size is not now required. The Atrai Bridge is being lowered 3 feet with the consent of the District Magistrate. The headway of 15 feet above highest flood level is greater than that provided at many more important river crossings on the Metre Gauge Section.

"(*c*).—Separate accounts are not kept for the Northern Section as distinct from the other Metre Gauge portions of the Eastern Bengal State Railway system. I would refer the Hon'ble Member to the Annual Administration Report for the calendar year 1903, Appendix 12, pages 48 and 49. The report for 1904 has not yet been published. The figures for the half-year ending the 31st December, 1904, are not yet available. The approximate cost of the alterations now in progress is Rs. 97,000, which is only part of a three years' programme. The estimate for strengthening the girders, which amounts to Rs. 2,74,000, has been approved by the Government of India.

"No general plan of the re-construction has been prepared, as only detailed drawings of the girders for the various bridges are necessary to admit of the carrying out of the work."

EXPENDITURE ON PLAGUE AND MALARIA

The Hon'ble Mr. Chaudhuri asked:—

Will the Government be pleased to lay on the table a statement showing the deaths from plague and from malarious fever in Bengal for 1900-01, 1901-02, 1902-03, 1903-04 and the money spent out of the public funds on measures, precautionary or otherwise, in respect of plague and malarious fever, respectively?

The Hon'ble Mr. Shirres replied:—

"A statement has been placed on the table showing, for the years referred to, the reported deaths from 'plague' and 'fever.' How many of the deaths under the latter head were due to malaria is not known, but it may be mentioned that in Dinajpur Captain Rogers enquired into the cause of death in 1,000 cases attributed to fever and found that death was due to malaria in only 31·8 *per cent.* of the cases.

"The accounts do not completely separate the expenditure on plague, but the information, so far as it is available, is also shown. The expenditure on account of malaria cannot be separately given. It would have to include not only the cost of producing and distributing quinine but a large part of the expenditure incurred under the heads of 'medical' 'sanitation' and 'drainage.'

Statement referred to in the above answer.

	1900-01.	1901-02.	1902-03.	1903-04.
Total deaths from plague ...	71,783(*a*)	39,181	62,055	61,790
Total deaths from fever ...	1,699,037	1,587,225	1,743,653	1,616,795
Expenditure on plague.	Rs.	Rs.	Rs.	Rs.
From Provincial Revenues ...	3,26,549	1,37,444	72,687	60,265
„ District Funds	1,30,944	96,316	14,973	7,581(*d*)
„ District Road Funds ...	.....	.....	20	(*b*)
„ District Road Accounts	.....	182	.....	(*b*)
„ Municipal Fund (excluding Calcutta Municipality).	(*c*)	(*c*)	(*c*)	23,024
„ Calcutta Municipal Fund ...	2,50,147	2,97,002	1,52,289	1,42,339"

(*a*) In addition to those there were 699 deaths from suspicious plague.
(*b*) Not available
(*c*) Not shown separately. The figures for 1903-04 were given in consequence of orders in paragraph 35 of the Annual Government Resolution on Mufassil Municipalities for 1902-03.
(*d*) Figures for the first six months only.

[*Babu Ambika Charan Mazumdar; Mr. Shirres; Babu Bhupendra Nath Basu.*]

SALARIES OF MINISTERIAL OFFICERS.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said:—

It appears from the Financial Statement for the year 1904-05 that a sum of four lakhs of rupees was provided therein for the increase of the salaries of Ministerial Officers, and in course of the debate which took place upon the Statement on the 16th April, 1904, it was stated on behalf of the Government that inquiries had been made and schemes submitted to the Government of India in connection with such provision. His Honour the Lieutenant-Governor was further pleased to observe that the matter which had his cordial sympathy "will receive the closest attention from the Bengal Government during this year." Now that the year is drawing to its close may I inquire—

(*a*) whether this Government has received the sanction of the Government of India to the schemes above referred to?

(*b*) if so, will the Government be pleased to state when these hard-worked and ill-paid ministerial officers are likely to obtain the relief contemplated by the above provision?

(*c*) if the Government of India have not yet accorded such sanction, will the Government be pleased to inform the Council what the schemes are and what further action it proposes to take with a view to give effect to them?

The Hon'ble MR. SHIRRES replied:—

"The scheme has not yet been sanctioned. The Government of India find that there are certain matters to be cleared up before they can submit it to the Secretary of State. Government regrets the necessity for delay; for it is very desirous of seeing a sound scheme carried through."

LEVY OF ROAD CESS AND INCOME-TAX ON NON-AGRICULTURAL LANDS, ETC.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR asked:—

(*a*) Is the Government aware that the value of all *hât*, fair, homestead and other non-agricultural lands is availed of for the purposes of assessment of both the road cess as well as the income-tax? And will the Government be pleased to consider whether the levying of both these taxes upon the same land is or is not illegal and inequitable?

(*b*) Has the attention of the Government been called to the case of *Umed Rasul Shaha Fakir* vs. *Anath Bandhu Choudhury* decided by the Calcutta High Court (Rampini and Gupta, JJ.) and reported in 28 I. L. R. (Cal.) 637, in which it has been distinctly held that the Board's Rule No. 33 of 1900 under which the road cess is levied upon such lands is *ultra vires*? And even apart from this decision, will the Government, in consideration of the manifest hardship which it entails on the tax-payers, be pleased to order the withdrawal or modification of the said or any subsequent similar rules of the Board of Revenue?

The Hon'ble BABU BHUPENDRA NATH BASU asked:—

(*a*) Does the Government levy both income-tax and road cess in respect of lands where *hâts* and *mélas* are held?

(*b*) Has the attention of Government been drawn to the ruling reported in I. L. R., 28 Cal., p. 637, where the High Court has held that the rule of the Board of Revenue directing payment of cess in respect of profits of *hâts* and fairs is *ultra vires?*

(*c*) Has the rule abovementioned been abrogated? If not, will the Government be pleased to direct that the said rule be withdrawn?

The Hon'ble MR. SHIRRES replied:—

"(*a*) It will be seen from section 5 (*a*) of the Income Tax Act and section 6 of the Road Cess Act that the law contemplates the payment both of income-tax

[*Mr. Shirres; Babu Ambika Charan Mazumdar; Mr. Carlyle.*]

and of cesses in respect of rent or revenue derived from land which is not used for agricultural purposes. The Lieutenant-Governor does not regard these provisions of the law as inequitable.

"(*b*) The Board's Rule No. 33 of 1900 which was declared by the ruling of the High Court to be *ultra vires* was, under the advice of the Legal Remembrancer, superseded by the Board's Revenue Circular No. 2 of March, 1902. The High Court ruled that the profits of a *mela* are not assessable to Road Cess. This had always been accepted by the Board and the assessment animadverted upon by the High Court was contrary to the Board's intention. A revised circular was issued to make it more clear that only the rent can be assessed to Road and Public Works Cesses. The Lieutenant-Governor does not propose to order the modification or withdrawal of their circular."

EXPENSES OF WITNESSES IN CRIMINAL COURTS.

The Hon'ble Babu Ambika Charan Mazumdar said:—

May I invite the attention of the Government to the "Revised rules for the payment on the part of the Government of the expenses of the complainants and witnesses attending the Criminal Courts" passed in 1895? These rules provide diet allowances at the rates of only 2 annas *per diem* for ordinary labouring classes and 4 annas only for Indians of higher rank in life, which in these days of high prices all round are hardly sufficient even for an ordinary single meal of an individual of the respective classes for whom these rates are intended, and which probably also account to some extent for the unwillingness of witnesses in accepting summons of the Criminal Courts. Under the circumstances will the Government be pleased to consider the present inadequacy of these rates and revise the aforesaid rules so as to provide a suitable rate for the diet and other allowances of these people?

The Hon'ble Mr. Carlyle replied:—

"The Bengal Government has already instituted enquiries as to the adequacy of the rates now allowed on account of complainants and witnesses attending the Criminal Courts so far as the labouring classes are concerned. It will extend its enquiries to the question of the rates allowed to other classes."

LANDLORDS' FEES.

The Hon'ble Babu Ambika Charan Mazumdar said:—

In reply to my question about the "Landlords' fees held in deposit" asked at a meeting of the Council held on the 7th January, 1905, the Hon'ble Mr. Earle said that these deposits "become the property of Government by lapse of time" and are incorporated with the Provincial Revenues of Government for meeting its ordinary expenditure.

Will the Government be pleased to state—

(*a*) under what law and by what lapse of time these deposits have become the property of Government?

(*b*) whether these deposits are not trust property kept in the hand of Government by tenants for payment to their landlords, and as such are incapable of being forfeited to Government by any lapse of time?

(*c*) whether any demand for payment has yet been made by any of the payees in case of any of the deposits referred to in my question alluded to above?

(*d*) will the Government be pleased to take the opinion of its Legal advisers as to whether these deposits have or can legally become the property of Government, and as to whether they are not still liable to be either paid to the landlords or refunded to the tenants when demands may be made by either of them?

[*Mr. Earle; Babu Ambika Charan Mazumdar; Mr. Carlyle; Babu Bhupendra Nath Basu; Mr. Shirres.*]

The Hon'ble MR. EARLE replied:—

"(1) The question of the Hon'ble Member seems to be based upon a misapprehension. If he will peruse again the reply which I gave to the question asked at the meeting of this Council held on the 7th January, 1905, he will observe that I did not say, as he alleges, that landlords' fees 'become the property of Government by lapse of time,' and thus form part of the consolidated revenue of the Provincial Government which is required to meet its ordinary expenditure. What I said was that, 'in so far as these deposits become the property of Government by lapse of time, they form part of the consolidated revenue of the Provincial Government, which is required to meet its ordinary expenditure.' That reply was given after legal advice had been taken as to the circumstances in which these fees may become the property of Government; and the Lieutenant-Governor is not prepared to enter into further disquisition on the subject.

"(2) Government has no information whether any tenant has ever applied for the refund of any money deposited by him as a landlord's fee. Applications are made from time to time by landlords for fees deposited in their favour, and, when they are found to be valid, payments are made.

"(3) It may be added that, if it were held that these deposits are money held in trust for others by Government, the previous suggestion made by the Hon'ble Member on the 7th January, 1905, that Government should divert them for the benefit of District Boards, could not be entertained."

THE SUBORDINATE EXECUTIVE SERVICE.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR asked:—

Will the Government be pleased to lay on the table a statement showing the names, age, race, and the educational qualifications (*i. e.*, whether passed the University Entrance, F.A., B.A, or M.A. examinations), the past services and other recommendations, if any, of each and all of the persons who have been admitted into the Subordinate Executive Service as Deputy Collectors and Sub-Deputy Collectors under its recent Resolution No. 5649A., dated the 26th December, 1904, by which the test of competitive examination for the recruitment of such service has been withdrawn?

The Hon'ble MR. CARLYLE replied:—

"No one has yet been admitted into the Subordinate Executive Service under the Resolution referred to. If the Hon'ble Member had read the rules annexed to the Resolution, he would have seen that nominations will not be received under its provisions until 1st October next."

THE VICTORIA JUTE MILLS

The Hon'ble BABU BHUPENDRA NATH BASU asked:—

Has the Government exempted the Victoria Jute Mill premises of Messrs. Thomas Duff & Co. within the Bhadreswar Municipality from the provisions of Part IX of the Bengal Municipal Act? If not, will the Government be pleased to state why no latrine-fee has been collected for the said Mill premises since first quarter of 1904? Is the Chairman of the said Municipality an employé of the said Company?

The Hon'ble MR. SHIRRES replied:—

"To the first part of the question the answer is in the negative and to the third part in the affirmative. Regarding the second part the Government has no information. The information may be obtained by means of a question at a meeting of the Municipal Commissioners or from an examination of the accounts, which, under section 71 of the Bengal Municipal Act, 1884, are open to the inspection of any tax-payer."

[*Babu Bhupendra Nath Basu; Mr. Shirres; Mr. Carlyle; Mr. Hare; Mr. Earle.*]

SEPTIC TANKS AT SHAMNAGAR

The Hon'ble BABU BHUPENDRA NATH BASU asked :—

Will the Government be pleased to state whether there are septic tanks use at the Shamnagar or Teliniparah Jute Mills of the same Messrs. Thomas Duff & Co.? Are these installations situated much nearer to the Palta Water-works intake than any other inspected by the Septic Tank Committee? If so, why were not these installations inspected by the said Committee?

The Hon'ble MR. SHIRRES replied :—

"The Hon'ble Member must be referred to the Report of the Committee for the reasons which governed the selection of the Mills they visited."

THE BENGAL SMOKE-NUISANCES BILL, 1904.

The Hon'ble Mr. Carlyle moved that the time for the preparation of the Report of the Select Committee on the Bill to amend the law relating to the abatement of nuisances arising from the smoke of furnaces or fire-places in the town and suburbs of Calcutta and in Howrah, and to provide for the extension thereof to other areas in Bengal, be further extended to the 4th March next. He said :—

"All the replies have not yet been received and it is very desirable that the Select Committee should not begin work until they all come in."

The Motion was put and agreed to.

THE SUNDARBANS BILL, 1904.

The Hon'ble Mr. Hare presented the Report of the Select Committee on the Bill to provide for the abolition of the office of Commissioner in the Sundarbans. He said :—

"The Report requires no remarks from me. It is full and complete in itself, so I merely make this application."

THE BENGAL REPEALING BILL, 1905.

The Hon'ble Mr. Earle moved for leave to introduce a Bill to repeal the Bengal Contagious Diseases (Animals) Act, 1880. He said :—

"I beg for leave to introduce into the Council the Bengal Repealing Act, 1905. As Hon'ble Members will gather from the Statement of Objects and Reasons, the purport of the Bill is to withdraw the Bengal Contagious Diseases (Animals) Act, 1880, from all the areas within which that Act is at present in force and to introduce into those areas the Glanders and Farcy Act, 1899. The Bengal Act of 1880 applies, by virtue of section 1, to the town of Calcutta as defined by the notification of the 10th September, 1877. It has been extended, by orders published under section 14, to portions of Howrah, Sonepur, Kalimpong and Barhapur, its application being limited in the case of the last three places to the periods during which fairs are held there. When the Bill now under consideration becomes law, Act XIII of 1899 will be extended by notification to all those places. That Act is gradually being extended to all districts of the Province; and it has already been introduced into all the districts of the Patna Division,

the Sonthal Parganas, Dacca, Burdwan and Hooghly, besides several municipalities.

"The Bengal Act of 1880 has been found in practice to be wholly ineffectual in checking the spread of contagious and infectious diseases amongst animals. In the first place its working depends entirely upon the initiative of the police; and police officers have neither the technical knowledge to enable them to detect the existence of the diseases referred to, nor the time required for coping successfully with them. On the other hand, under Act XIII of 1899 specially qualified whole-time officers will be employed to carry out work under the Act under the supervision of the Superintendent of the Veterinary Department. In the next place, the power of entry and search conferred by section 7 of the Bengal Act is altogether insufficient. That section lays down that an Inspector of Police must have reasonable grounds for supposing that a horse is affected with disease or has lately been so infected before he can make a search in any place. This condition alone makes the Act impracticable, inasmuch as it is only by actual examination that it is possible to form an opinion whether an animal is or is not diseased. Sections 5 and 7 of Act XIII of 1899 give the requisite powers in this respect. Thirdly, the Bengal Act makes no provision for dealing with animals that have been in contact with diseased horses. This is a serious omission which is made good by section 11 of the India Act.

"I think that I have said quite enough to show that Act XIII of 1899 is superior to the Bengal Act in essential matters. The need of introducing it into Calcutta, Howrah and the neighbouring municipalities has long been recognised as a very pressing want. There is every reason to believe that glanders is far more rife than is apparent from the statistics yet collected; and even these are sufficiently serious to make preventive measures essential. The difficulty of introducing the Act hitherto has been the want of funds for the purpose. It has very properly been held that it was useless to introduce the Act into a big city like Calcutta until it had been found possible to provide funds for a really efficient and trustworthy staff. In this respect it is proposed to follow the example of Bombay city, where the diseases referred to have been suppressed without friction owing to the efficiency of the staff employed. In Calcutta and its neighbourhood there will be appointed one Chief Inspector, who will also be a Veterinary Practitioner, and seven Inspectors, who will also be Veterinary Practitioners. These men will work under the immediate control of the Superintendent of the Veterinary Department at Belgatchia. When rules are framed under section 14 of the Act, the rules which have worked with conspicuous success in Bombay will be adopted as far as practicable.

"I would invite attention to section 6 of the Bengal Act. Under section 6 of that Act, when a hospital for contagious diseases is established in Calcutta, the expenses of the same shall, so far as is necessary, be a first charge on the surplus fees levied on the registration of hackney-carriages under Bengal Act V of 1866. There was a hospital of this kind in Calcutta up to the year 1901; but in that year it was removed to Belgatchia, the Calcutta Corporation consenting to pay a sum of Rs. 15 a month towards the cost of the establishment maintained in connection with that institution. It is not thought necessary to retain this section and the connected sections, inasmuch as there is no prospect of bringing the hospital for contagious diseases back to Calcutta.

"Lastly, on general grounds, it is very undesirable to retain the Bengal Act on the Statute Book on the introduction of the India Act, because, if it were so retained, there would be two co-ordinate agencies working under different Acts in the same area, viz., the police working under the Commissioner of Police under the former Act and the Special Inspectors working under the Superintendent of the Veterinary Department under the

[*Mr. Earle.*]

latter Act. These are all the remarks that I consider it necessary to make on the present occasion."

The Motion was put and agreed to.

The Hon'ble Mr. Earle introduced the Bill and moved that it be read in Council.

The Motion was put and agreed to, and the Bill was read accordingly.

The Council was then adjourned to Saturday, the 4th March, 1905.

CALCUTTA;
The 21st February, 1905.

L. C. ADAMI,
Offg. Secretary to the Bengal Council.

B. S. Press—835G—300—22-2-1905.

Abstract of the Proceedings of the Council of the Lieutenant-Governor of Bengal, assembled under the provisions of the Indian Councils Acts, 1861 and 1892.

The Council met in the Council Chamber on Saturday, the 4th March, 1905, at 12-30 P.M.

Present:

The Hon'ble SIR ANDREW FRASER, K.C.S.I., Lieutenant-Governor of Bengal, *presiding*.

The Hon'ble MR. L. HARE, C.I.E.

The Hon'ble MR. K. G. GUPTA.

The Hon'ble MR. B. L. GUPTA.

The Hon'ble MR. P. O'KINEALY, Advocate-General of Bengal.

The Hon'ble MR. E. W. COLLIN.

The Hon'ble MR. R. W. CARLYLE, C.I.E.

The Hon'ble MR. W. A. INGLIS.

The Hon'ble MR. L. P. SHIRRES.

The Hon'ble MR. A. EARLE.

The Hon'ble MR. R. T. GREER, C.S.I.

The Hon'ble BABU KALI PADA GHOSH, M.A., B.L.

The Hon'ble BABU BHUPENDRA NATH BASU, M.A., B.L.

The Hon'ble BABU SALIGRAM SINGH.

The Hon'ble MR. C. F. LARMOUR.

The Hon'ble MR. A. A. APCAR.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

The Hon'ble MR. J. CHAUDHURI, M.A.

The Hon'ble ASIF KADR SAIYID WASIF ALI MIRZA, of Murshidabad.

The Hon'ble RAJA BAN BEHARI KAPUR, C.S.I.

NEW MEMBER.

The Hon'ble [illegible]

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The Hon'ble RAJA BAN BEHARI KAPUR, C.S.I.

NEW MEMBER.

The Hon'ble MR. INGLIS took his seat in Council.

QUESTIONS AND ANSWERS.

DREDGING OF THE BHAGIRATHI RIVER.

The Hon'ble ASIF KADR SAIYID WASIF ALI MIRZA asked :—

(*a*) Is the Government going to take any steps, without further delay, for using dredgers for the improvement of the river Bhagirathi and Hooghly, as it has recognised the miserable condition of the river during the dry season?

(*b*) Does the Government consider that the necessity for the use of dredgers has ceased owing to the facility of communication likely to be secured by the opening of the Ranaghat-Katihar line?

(*c*) Does not the Government consider it desirable and necessary to remove the existing shoals and to secure a navigable channel with current throughout the year for the improvement of the sanitary condition of the large tracts through which the river runs?

(*d*) Does not the Government share the views of experts who believe that the Port of Calcutta would be materially prejudiced if the channel of the Bhagirathi and Hooghly be not properly improved and maintained?

(*e*) Is the Government aware that the merchants and traders carrying on inland trade prefer carrying their articles by river to railway, and does not the Government believe that, notwithstanding the facilities of connection to be had by the opening of the Ranaghat-Katihar line, the river traffic would increase to a considerable degree if the Bhagirathi-Hooghly river be made navigable throughout the year?

(*f*) If the Government be not prepared to make use of dredgers for improving the channel, would the Government be pleased to direct its officer in charge of the Nadia Rivers Division to make more extensive use of corrugated iron sheets and *sál* posts in the Bandel works instead of bamboo mats and bamboo posts?

The Hon'ble MR. INGLIS replied :—

"It will be convenient if I answer questions (*a*), (*b*) and (*c*) together.

"The proposal to keep the Bhagirathi open for navigation throughout the year by means of large suction dredgers has never been seriously contemplated by this Government. Admitting that the scheme were practicable from an engineering point of view it would certainly be prohibitive on account of its great cost; and in view of the large expenditure which will shortly be incurred in the development of the railway systems near the river, it is highly improbable that the Government of India would sanction further expenditure in order to increase still further the means of communication with Calcutta for the Ganges traffic.

"A project for establishing direct water communication between Madareepore and Khulna has recently been submitted to the Government of India for sanction. In the estimate provision is made for the purchase of a large suction dredger. If the estimate is approved by the Secretary of State it will be possible to have the machine landed in India in the course of next year. It is the intention of Government to experiment with this dredger in removing the extensive shoal which has formed at the entrance of the Bhagirathi: should the experiment prove successful there is reason to believe that a good supply of fresh water will be assured in the upper parts of the river during the hot weather months.

"The answer to (*d*) is in the negative.

"(*e*) It is not the experience of this Government that merchants and traders prefer carrying their articles by river to railways. Since the Bengal-Nagpur Railway and the South Bihar Railway came into competition with the Orissa Canals, the Orissa Coast Canal, the Midnapore and the Sone Canals, the receipts from tolls in these canals have decreased by fifty *per cent.*

"(*f*) An experiment was made last year to train the shoals in the Nadia rivers by using corrugated iron sheets instead of mats in the preparation of the bandels.

"It has been decided not to continue the experiment as the results obtained were not commensurate with the cost incurred."

REDUCTION OF THE TRAFFIC STAFF ON THE EASTERN BENGAL STATE RAILWAY.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR asked :—

(*a*) Has the attention of the Government been called to two paragraphs which appeared in the *Bengalee* of the 21st September last and in the *Telegraph*

[*Babu Ambika Charan Mazumdar; Mr. Inglis; Mr. Shirres.*]

of the same date, in both of which it was stated that it was in contemplation to reduce the numerical strength of the Traffic Staff of the Eastern Bengal State Railway? Has the Government been yet consulted in the matter? And before any such reduction is sanctioned, will the Government be pleased thoroughly to consider the inexpediency of such a step particularly in view of the effect which such reductions may have on chances of accidents which are not unknown on this Railway?

(*b*) Will the Government, in view of the heavy traffic on this Railway and the risks attendant thereon, be further pleased to consider the propriety of extending the double lines from Poradah to Rajbari?

The Hon'ble MR. INGLIS replied:—

"(*a*) No general reduction of traffic staff on the Eastern Bengal State Railway has been carried out or is contemplated; but from time to time the traffic staff at the various stations on the system is adjusted by responsible officers to the strength which is considered by them to be necessary for the safe and efficient working of the traffic.

"Settlement of the details of the traffic staff to be employed at each station is entrusted by Government to the Manager of the Railway.

"(*b*) No special risks are entailed in working the traffic on the Poradah-Rajbari single line, and the line is capable of dealing with a heavier traffic than now ever passes over it."

INCOME-TAX IN THE DISTRICTS OF BENGAL FOR 1901-1905.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR asked:—

Will the Government be pleased to call for and lay on the table a statement containing the following particulars regarding the assessment of income-tax in each district for the years 1901-1902, 1902-1903, 1903-1904 and 1904-1905, in the subjoined or any other form that may be found convenient?:—

Name of district—	1901-02.	1902-03.
1. Number of assessees with income not less than Rs. 500, but less than Rs. 750 ...		
2. Number of assessees with income not less than Rs. 750, but less than Rs. 1,000 ...		
3. Number of assessees with income not less than Rs. 1,000, but less than Rs. 1,250 ...		
4. Number of assessees with income not less than Rs. 1,250, but less than Rs. 1,500 ...		
5. Number of assessees with income not less than Rs. 1,500, but less than Rs. 1,750 ...		
6. Number of assessees with income not less than Rs. 1,750, but less than Rs. 2,000 ...		
Total Income-tax assessed for the year in each district		

Name of district—	1903-04.	1904-05
1. Number of assessees with income not less than Rs 1,000, but less than Rs. 1,250 ...		
2. Number of assessees with income not less than Rs. 1,250, but less than Rs. 1,500 ...		
3. Number of assessees with income not less than Rs. 1,500, but less than Rs 1,750 ...		
4. Number of assessees with income not less than Rs. 1,750, but less than Rs. 2,000 ...		
Total Income-tax assessed for the year in each district		

The Hon'ble MR. SHIRRES replied:—

"A statement giving the information asked for by the Hon'ble Member for the years 1901-1902, 1902-1903 and 1903-1904 has been laid upon the table. Complete figures for 1904-1905 are not yet available."

[*Asif Kadr Saiyid Wasif Ali Mirza; Mr. Inglis; Babu Ambika Charan Mazumdar.*]

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(*e*) Is the Government aware that the merchants and traders carrying on inland trade prefer carrying their articles by river to railway, and does not the Government believe that, notwithstanding the facilities of connection to be had by the opening of the Ranaghat-Katihar line, the river traffic would increase to a considerable degree if the Bhagirathi-Hooghly river be made navigable throughout the year?

(*f*) If the Government be not prepared to make use of dredgers for improving the channel, would the Government be pleased to direct its officer in charge of the Nadia Rivers Division to make more extensive use of corrugated iron sheets and *sál* posts in the Bandel works instead of bamboo mats and bamboo posts?

The Hon'ble MR. INGLIS replied :—

"It will be convenient if I answer questions (*a*), (*b*) and (*c*) together.

"The proposal to keep the Bhagirathi open for navigation throughout the year by means of large suction dredgers has never been seriously contemplated by this Government. Admitting that the scheme were practicable from an engineering point of view it would certainly be prohibitive on account of its great cost; and in view of the large expenditure which will shortly be incurred in the development of the railway systems near the river, it is highly improbable that the Government of India would sanction further expenditure in order to increase still further the means of communication with Calcutta for the Ganges traffic.

"A project for establishing direct water communication between Madareepore and Khulna has recently been submitted to the Government of India for sanction. In the estimate provision is made for the purchase of a large suction dredger. If the estimate is approved by the Secretary of State it will be possible to have the machine landed in India in the course of next year. It is the intention of Government to experiment with this dredger in removing the extensive shoal which has formed at the entrance of the Bhagirathi: should the experiment prove successful there is reason to believe that a good supply of fresh water will be assured in the upper parts of the river during the hot weather months.

"The answer to (*d*) is in the negative.

"(*e*) It is not the experience of this Government that merchants and traders prefer carrying their articles by river to railways. Since the Bengal-Nagpur Railway and the South Bihar Railway came into competition with the Orissa Canals, the Orissa Coast Canal, the Midnapore and the Sone Canals, the receipts from tolls in these canals have decreased by fifty *per cent.*

"(*f*) An experiment was made last year to train the shoals in the Nadia rivers by using corrugated iron sheets instead of mats in the preparation of the bandels.

"It has been decided not to continue the experiment as the results obtained were not commensurate with the cost incurred."

REDUCTION OF THE TRAFFIC STAFF ON THE EASTERN BENGAL STATE RAILWAY.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR asked :—

(*a*) Has the attention of the Government been called to two paragraphs which appeared in the *Bengalee* of the 21st September last and in the *Telegraph*

[*Babu Ambika Charan Mazumdar; Mr. Inglis; Mr. Shirres.*]

of the same date, in both of which it was stated that it was in contemplation to reduce the numerical strength of the Traffic Staff of the Eastern Bengal State Railway? Has the Government been yet consulted in the matter? And before any such reduction is sanctioned, will the Government be pleased thoroughly to consider the inexpediency of such a step particularly in view of the effect which such reductions may have on chances of accidents which are not unknown on this Railway?

(*b*) Will the Government, in view of the heavy traffic on this Railway and the risks attendant thereon, be further pleased to consider the propriety of extending the double lines from Poradah to Rajbari?

The Hon'ble Mr. Inglis replied:—

"(*a*) No general reduction of traffic staff on the Eastern Bengal State Railway has been carried out or is contemplated; but from time to time the traffic staff at the various stations on the system is adjusted by responsible officers to the strength which is considered by them to be necessary for the safe and efficient working of the traffic.

"Settlement of the details of the traffic staff to be employed at each station is entrusted by Government to the Manager of the Railway.

"(*b*) No special risks are entailed in working the traffic on the Poradah-Rajbari single line, and the line is capable of dealing with a heavier traffic than now ever passes over it."

INCOME-TAX IN THE DISTRICTS OF BENGAL FOR 1901-1905

The Hon'ble Babu Ambika Charan Mazumdar asked:—

Will the Government be pleased to call for and lay on the table a statement containing the following particulars regarding the assessment of income-tax in each district for the years 1901-1902, 1902-1903, 1903-1904 and 1904-1905, in the subjoined or any other form that may be found convenient?:—

Name of district—	1901-02	1902-03.
1. Number of assessees with income not less than Rs. 500, but less than Rs. 750 ...		
2. Number of assessees with income not less than Rs. 750, but less than Rs. 1,000 ...		
3. Number of assessees with income not less than Rs. 1,000, but less than Rs. 1,250 ...		
4. Number of assessees with income not less than Rs. 1,250, but less than Rs. 1,500 ...		
5. Number of assessees with income not less than Rs. 1,500, but less than Rs. 1,750 ...		
6. Number of assessees with income not less than Rs. 1,750, but less than Rs. 2,000 ...		
Total Income-tax assessed for the year in each district		

Name of district—	1903-04.	1904-05
1. Number of assessees with income not less than Rs 1,000, but less than Rs. 1,250 ...		
2. Number of assessees with income not less than Rs. 1,250, but less than Rs. 1,500 ...		
3. Number of assessees with income not less than Rs. 1,500, but less than Rs 1,750 ...		
4. Number of assessees with income not less than Rs. 1,750, but less than Rs. 2,000 ...		
Total Income-tax assessed for the year in each district		

The Hon'ble Mr. Shirres replied:—

"A statement giving the information asked for by the Hon'ble Member for the years 1901-1902, 1902-1903 and 1903-1904 has been laid upon the table. Complete figures for 1904-1905 are not yet available."

Statement of Income-tax Assessment in Bengal during the years 1901-1902, 1902-1903, and

Divisions and Districts	1901-1902. Number of assessees from whom tax has been realized in part or in full: Rs. 500—749	Rs. 750—1,000	Rs. 1,000—1,250	Rs. 1,250—1,500	Rs. 1,500—1,750	Rs. 1,750—2,000	Final demand on account of tax	1902-1903. Number of assessees from whom tax has been realized in part or in full: Rs. 500—749	Rs. 750—1,000	Rs. 1,000—1,250	Rs. 1,250—1,500	Rs. 1,500—1,750	Rs. 1,750—2,000	Final demand on account of tax	Numb whom ized Rs. 1,000—1,250
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
BENGAL.							Rs							Rs.	
Burdwan Division.															
Bardwan ..	997	321	226	113	89	57	71,078	906	331	228	121	83	66	75,961	484
Birbhum	499	125	80	50	45	28	26,528	450	119	87	56	40	32	26,168	158
Bankura . .	567	178	106	38	29	15	18,326	508	173	106	43	33	13	18,644	181
Midnapore	3,035	609	407	191	135	89	99,367	2,971	689	423	202	150	91	1,06,222	502
Hooghly ...	1,266	347	234	119	89	57	59,814	1,274	340	235	131	106	66	61,276	402
Howrah . .	809	173	134	63	27	25	27,039	871	195	128	63	33	27	27,006	227
Total .	7,224	1,753	1,205	574	436	267	3,02,854	7,149	1,867	1,204	627	445	295	3,15,876	1,984
Presidency Division.															
24-Parganas ..	1,954	541	303	174	107	100	73,143	2,054	573	327	173	119	108	84,459	729
Calcutta	10,078	2,634	2,557	1,040	1,053	1,345	26,48,068	9,917	2,584	2,537	1,086	1,065	1,324	27,19,243	4,082
Nadia	1,272	457	330	134	107	74	61,426	1,399	463	308	151	92	80	65,043	411
Murshidabad .	1,136	327	207	121	67	35	75,011	1,227	311	215	123	70	37	70,650	411
Jessore	1,303	336	215	104	61	45	59,651	1,398	373	239	105	64	40	51,960	257
Khulna	1,409	434	218	121	64	53	46,319	1,478	423	224	121	68	58	47,266	268
Total ...	17,252	4,719	3,830	1,693	1,461	1,652	29,61,416	17,472	4,735	3,843	1,765	1,478	1,665	30,41,554	6,757
Rajshahi Division															
Rajshahi .	1,060	283	188	76	50	28	51,935	1,102	281	186	75	66	38	50,646	311
Dinajpur	2,043	584	314	157	100	70	63,355	2,091	588	311	158	101	76	68,133	353
Jalpaiguri	629	135	90	35	31	19	36,775	615	141	86	40	27	24	38,086	141
Darjeeling .	630	219	107	71	58	17	61,152	639	234	152	70	57	30	64,111	248
Rangpur	1,510	446	268	138	82	80	58,486	1,521	473	274	141	81	60	60,736	308
Bogra	494	201	113	88	61	37	34,184	531	142	141	86	58	39	34,174	147
Pabna . ..	636	428	346	101	69	56	51,809	1,084	434	294	114	88	57	51,741	207
Total .	7,443	2,298	1,346	661	458	366	3,58,701	7,578	2,353	1,380	684	478	323	4,71,801	1,856
Dacca Division															
Dacca	1,724	554	317	149	91	54	96,903	1,701	541	344	143	99	64	1,04,667	472
Mymensingh	2,359	619	378	178	143	84	1,10,0..	2,433	664	427	185	161	85	1,13,566	502
Faridpur ...	1,440	340	230	115	81	57	58,414	1,320	340	206	113	87	71	59,911	321
Backergunge .	1,302	494	273	172	98	81	75,389	1,367	633	292	183	101	76	77,766	44
Total .	6,825	2,107	1,198	652	419	276	3,40,089	6,856	2,278	1,269	624	447	296	3,56,710	1,991
Chittagong Division															
Tippera	950	274	164	97	61	63	49,560	1,011	303	198	103	69	68	56,669	331
Noakhali ...	605	140	105	58	40	31	32,...	649	176	107	57	44	31	35,067	201
Chittagong ..	1,375	393	196	71	71	37	56,258	1,313	319	198	86	59	37	57,756	87
Total .	2,930	777	465	226	172	131	1,28,179	2,973	798	503	246	172	136	1,37,492	1,08
BIHAR															
Patna Division.															
Patna .	998	382	304	171	78	66	89,835	877	380	282	114	84	60	81,372	341
Gaya ..	1,263	426	282	154	108	70	86,077	1,289	413	270	135	104	82	87,118	287
Shahabad ...	946	306	211	85	69	54	59,705	930	284	197	85	69	56	49,577	230
Saran ..	1,335	500	316	161	115	97	89,586	1,348	527	321	173	116	90	82,845	427
Champaran	890	287	191	83	50	45	55,227	881	320	161	80	61	46	50,980	181
Muzaffarpur	1,418	368	244	104	77	45	67,740	1,423	408	247	105	75	59	68,048	41
Darbhanga	1,319	391	306	162	82	76	77,639	1,358	495	288	170	82	77	78,127	325
Total .	8,169	2,740	1,854	855	588	452	5,00,114	8,106	2,836	1,774	871	591	470	5,01,072	2,271
Bhagalpur Division.															
Monghyr	1,374	471	325	175	85	68	72,093	1,305	501	311	157	99	71	75,872	44
Bhagalpur	1,764	457	346	175	113	101	92,501	1,816	489	349	194	105	113	95,885	43
Purnea	1,854	483	295	130	92	65	74,817	1,807	475	308	130	106	64	71,111	32
Malda	647	220	129	77	39	35	31,482	658	240	129	81	40	31	32,089	21
Santhal Parganas .	754	322	231	90	56	46	35,071	784	346	251	94	69	54	38,382	31
Total .	6,393	1,953	1,326	653	385	315	3,06,054	6,370	2,071	1,348	662	419	330	3,13,939	1,76
ORISSA.															
Orissa Division															
Cuttack	825	237	108	61	30	30	31,850	840	220	128	56	37	33	32,109	15
Balasore	637	165	80	48	19	11	17,925	687	209	101	53	24	18	21,005	18
Puri	413	137	118	67	44	48	26,035	431	180	130	71	50	47	27,729	24
Total ..	1,875	539	306	176	102	89	76,810	1,958	609	359	180	111	98	80,843	58
CHOTA NAGPUR															
Chota Nagpur Division.															
Hazaribagh .	712	193	104	44	23	15	23,871	810	237	119	46	24	18	31,820	23
Ranchi . . .	576	113	87	..	31	28	19,575	612	116	76	44	31	25	19,819	18
Palamau	404	151	70	33	20	16	14,004	701	160	64	37	18	14	14,880	9
Manbhum . . .	539	205	142	61	17	12	20,652	559	162	128	71	58	43	68,17.	20
Singhbhum .	202	96	55	22	12	8	12,296	325	94	56	29	16	9	14,672	8
Total ..	2,613	756	458	200	151	109	1,51,998	2,807	889	473	228	147	116	1,49,376	80
Grand Total .	60,608	17,740	14,161	5,702	4,146	3,649	51,26,015	61,279	18,388	12,317	5,893	4,288	3,734	52,74,004	19,07

[Babu Ambica Charan Mazumdar; Mr. Earle; Mr. Chaudhuri; Mr. Inglis; Mr. Shirres.]

STRIKE IN THE GOVERNMENT SHELL FACTORY AT COSSIPORE.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR asked:—

Has the attention of the Government been called to a paragraph in the *Amrita Bazar Patrika* of the 17th February, 1905, in which it is stated that over three thousand workmen have struck work at the Government Shell Factory at Cossipore? Is it true, as stated in the said paragraph, that the strike is due to the factory authorities having extended the working hours, from 8 A.M. to 4 P.M., to 7-45 A.M. to 8-15 P.M.? If so, will the Government be pleased to inform the Council what action it has taken or proposes to take with a view to pacify the strike?

The Hon'ble MR. EARLE replied:—

"The attention of Government had not been drawn to the paragraph in question when the Hon'ble Member put his question. Inasmuch as the Government Shell Factory at Cossipore is administered by the Government of India through the Director-General of Ordnance, the Lieutenant-Governor confined himself to ascertaining that the strikers returned to work after two days and that the public peace was in no way endangered."

RAILWAY LINE BETWEEN GOPALPUR AND SERAJGANJ.

The Hon'ble MR. CHAUDHURI asked:—

Will the Government be pleased to state what is being done with regard to the proposed railway between Gopalpur and Serajganj?

The Hon'ble MR. INGLIS replied:—

"A survey and estimate for a line from near Gopalpur to Serajganj have been completed. The line would be 49½ miles long to the town of Serajganj, and, on the broad gauge, is estimated to cost 62 lakhs of rupees. An investigation has also been made during the present cold season of the possibility of extending the line to opposite Jaganathgunge, the terminus of the Dacca system of railways. An estimate of the cost of such an extension is now under preparation."

RETURNS OF BIRTHS AND DEATHS IN THE DISTRICTS OF JESSORE AND NADIA AND IN THE SUB-DIVISION OF NATORE FOR 1901—1905.

The Hon'ble MR. CHAUDHURI asked:

Will the Government be pleased to lay on the table a tabular statement giving for the years 1901-1902, 1902-1903, 1903-1904, 1904-1905, the births and deaths (and in the case of the latter, showing in separate columns those due to fever and cholera and the total number of deaths and the rate *per mille* in the district of Jessore; in such important places in the district of Nadia, as Krishnagar, Navadwip, Santipur, Meherpur, Chakdah, Kushtea, Kumarkhali and in the Sub-division of Natore in the Rajshahi *Division*, all of which showed a decline of population at the last census?

The Hon'ble MR. SHIRRES replied:—

"A statement which contains the information asked for by the Hon'ble Member has been laid upon the table."

	Population according to census of		Births				Deaths														
							Cholera				Fever				Total deaths				Ratio per		
	1891	1901	1901	1902	1903	1904	1901	1902	1903	1904	1901	1902	1903	1904	1901	1902	1903	1904	1901	1902	[illegible]
[illegible]	1,888,827	1,813,175	64,6[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]116	4,827	7,7[illegible]	[illegible]	67,379	56,827	[illegible]	63,002	77,[illegible]	67,[illegible]	76,[illegible]	[illegible]71	42·54	[illegible]
	27,50[illegible]	24,747	532	621	437	61[illegible]	61	13[illegible]	[illegible]	[illegible]	40[illegible]	[illegible]	570	453	662	[illegible]	707	[illegible]	[illegible]	27·43	2[illegible]
	13,336	10,8[illegible]	247	23[illegible]	[illegible]	293	10	12[illegible]	1[illegible]	[illegible]	205	268	278	22[illegible]	348	4[illegible]3	44[illegible]	271	11·[illegible]	42·55	4[illegible]
	30,437	26,8[illegible]8	8[illegible]2	1,262	8[illegible]	1,1[illegible]	18	125	46	53	680	743	693	652	908	1,[illegible]	[illegible]	[illegible]	33·75	40·70	3
	8,61[illegible]	5,482	128	19[illegible]	153	154	25	16	57	7	187	203	184	130	236	257	27[illegible]	161	43·0[illegible]	46·88	4
	[illegible]	[illegible]	143	138	11[illegible]	170	1	12	8	28	110	142	90	122	124	116	115	162	23·26	31·14	2
	6,195	4,784	154	14[illegible]	97	142	1	11	17	18	196	174	77[illegible]	167	148	209	109	205	32·28	45·59	4
	5,820	5,766	238	18[illegible]	142	252	5	29	15	9	114	240	137	142	104	334	150	185	28·14	57·02	3
[illegible]	326,017	302,961	12,920	11,833	11,590	13,642	372	765	558	1,140	11,274	12,725	10,063	13,842	13,271	15,056	12,255	16,690	40·70	49·69	4

...ulation of Kushtia, according to the census of 1891, was 11,989. In the year 1895, however, the area of the Municipality was reduced by the exclusion ... given in the statement show the population of the remaining area.

THE BENGAL SMOKE-NUISANCES BILL, 1904.

The Hon'ble MR. CARLYLE presented the Report of the Select Committee on the Bill to amend the law relating to the abatement of nuisances arising from the smoke of furnaces or fire-places in the town and suburbs of Calcutta and in Howrah, and to provide for the extension thereof to other areas in Bengal. He said:—

"Government propose to take up the discussion of the Bill on the 25th of this month."

THE SUNDARBANS BILL, 1904.

The Hon'ble MR. HARE moved that the Report of the Select Committee on the Bill to provide for the abolition of the office of Commissioner in the Sundarbans be taken into consideration.

The Motion was put and agreed to.

The Hon'ble MR. HARE also moved that the clauses of the Bill be considered in the form recommended by the Select Committee.

The Motion was put and agreed to.

Clauses 3 and 4.

The Hon'ble MR. CHAUDHURI moved that clause 4 of the Bill be omitted. He said:—

"Having regard to the comprehensive character of clause 3 of the Bill as settled in Committee, clause 4 of the same seems to me to be a superfluity. If all the powers and functions that were formerly vested in, and exercised by, the Commissioner in the Sundarbans are now to be vested in, and exercised by, the Collector of a district, it goes without saying that any reference to the said Commissioner in the existing leases, agreements and *amalnamas* will be interpreted by the Law Courts as referring to the Collector. A reference to the terms of the leases will show that there need be no apprehension on this account.

"But before referring to the leases I would point out that if clause 4 stood in its present form it might give rise to difficulties of the very nature which it is its object to remove. This clause says that in respect of written instruments relating to land in the Sundarbans, all references to the 'Commissioner in the Sundarbans' will be construed as referring to a Collector. The Commissioner in the Sundarbans had also other duties. For instance, Regulation IX of 1816 placed him in charge of the Akbari Mahal, and the Report of Select Committee purports to transfer his powers and functions in this respect as well to the Collector. In exercise of such functions he might have had to execute written instruments, such as the granting of licenses, &c. Written grants of this kind would not surely fall within the category of 'written instruments relating to land.'

"The expression 'relating to land' goes to restrict the scope of the interpretation clause considerably. A similar expression, viz., 'disputes relating to land' in the Code of Criminal Procedure has given rise to a great deal of litigation and legal interpretation; and, if possible, I would avoid such expression in an interpretation clause. Supposing the Commissioner in the Sundarbans had to lease out fisheries or grant license for cutting wood, gathering wax and honey, collecting shells, &c., grants of this kind made in writing would not surely be classed as instruments relating to land. In case if such documents or other agreements or contracts, which may not relate to land, are forthcoming, any reference therein to the Commissioner in the Sundarbans ought surely to refer to the Collector. The Hon'ble Mr. Collin mentions in his note on this Bill that besides the leases referred to by him, there may be other deeds and documents which he has not been able to trace. But under the present limitations of clause 4, question may arise as to whether reference to the Commissioner in such instruments will refer to the Collector. The three instances of powers reserved to the Commissioner in the Sundarbans in the cultivation, the *howladari* leases or *amalnamas* would, as a matter of course, be exerciseable by the Collectors who are now vested with the Commissioner's powers within their local jurisdiction both by virtue of clause 3 and by the terms of the very written instruments themselves.

"For instance, in cultivation leases it is provided that in cases of boundary disputes between lessees of adjoining plots, the dispute is to be submitted to the decision of 'the officer exercising the powers of the Commissioner of the Sundarbans for the time being.' Now after clause 3 becomes law these words would unmistakeably and unquestionably point to the Collector within his local area as exercising such powers. I am sure that the Hon'ble Members will agree that if there be any possibility of the existence of any written instruments other than those relating to land, it would be better to drop clause 4 altogether."

The Hon'ble MR. O'KINEALY said:—"—I regret I am unable to support the amendment proposed by the Hon'ble Mr. Chaudhuri. It seems to me that acceptance of that amendment by the Council will be placing upon the words of the third clause a greater strain than they could bear. The Regulation which it is the object of this Bill to repeal by the second section vested certain powers in the Commissioner, and these are the words of section 2, Regulation IX of 1816: 'The Commissioner shall be vested with all the duties, powers and authority which have been or may be exercised by the Collectors of Land Revenue (including the charge of the Abkari Mahal) under the rules and regulations which may have been or may be enacted.'

"As I have said, it being the object of this Bill to repeal this Regulation, it became necessary to restore those powers which had been given to the Commissioner of the Sundarbans to the officers from whom they had been taken, and that is what clause 3 proposes to do. It follows the words of section 2, which confer powers on the Commissioner of the Sundarbans under the Regulation of 1816, and enacts that: 'All the powers and functions heretofore vested in and exercised by the Commissioner in the Sundarbans in any district shall henceforth be vested in and exercisable by the Collector of that district.'

"There were duties other than those I have mentioned which the Commissioner of the Sundarbans had to perform, and they were what might be called the duties of an arbitrator, that is to say in granting leases, *amalnamahs* and other documents concerning the leasing of land in the Sundarbans there were provisions to prevent unnecessary resort to litigation in cases of disputes and to prevent also resort to physical force in cases of persons disputing about the boundaries of their holdings. There was always a clause in these leases that the settlement of disputes which might occur, if they did occur, between neighbouring landholders, should be referred to the Commissioner of the Sundarbans for his decision. In acting in this way under powers which are not given by the law but acting merely in the position of a private arbitrator owing to an agreement between the different parties it seemed to the Select Committee—and I think rightly—that this was a class of matters which was not dealt with by clause 3, because as I say in this latter class of cases the Commissioner of the Sundarbans is in the position of a private individual and not in the position of a public officer having statutory powers.

"The Select Committee therefore thought it necessary to deal with this class of duties of the Commissioner of the Sundarbans and give those powers to the Collector, because it is of the greatest possible importance that the powers which were exercisable by the Commissioner should be exercised by somebody else, as otherwise the result would be that the landholders in the Sundarbans would be either driven to physical force for the purpose of settling their disputes, or to litigation which might mean to them ruin. In that view the Select Committee drafted the fourth clause in this way:—

In every written instrument relating to land in the Sundarbans executed prior to the commencement of this Act, all references to "the Commissioner in the Sundarbans" shall be construed as referring to the Collector of the district in which the land or any part of it is situated.

"The matter has been enquired into, and I understand there are no documents or deeds other than those in connection with land in the Sundarbans, and the duties cast upon the Commissioner of the Sundarbans are wholly within this section. The Select Committee therefore confined themselves to the question of land in the Sundarbans, because if one makes a section so wide as to make it indeterminate, it is not merely a flaw in legislating, but it becomes a danger. There may be some of these leases which cover lands extending over more than the borders of a neighbouring district, and if it were left that the Collector of the district should be substituted merely for the Commissioner of the Sundarbans in leases in which the land extends over the boundary of a district

[*Mr. O'Kinealy; Mr. Hare; Babu Bhupendra Nath Basu; Babu Kali Pada Ghosh; Mr. Chaudhuri.*]

it would be indeterminate, and one could not say who was the Collector to exercise jurisdiction. To avoid that difficulty the Select Committee thought that the words 'in which the land or any part of it is situated' must be put in. The Collector of each district may have jurisdiction. In all probability the dispute arises in a portion of the land which is within a certain district, it will be the Collector of that district who will exercise jurisdiction.

"Therefore I submit that clause 4 of the Bill deals with matters which are foreign to clause 3, and to abolish clause 4 and leave clause 3 to do the functions of both clauses would, as I say, put upon it a strain which the words of the clause would not bear."

The Hon'ble MR. HARE said:—"I agree with the Hon'ble Mr. O'Kinealy that it is necessary and desirable to retain clause 4, partly for the reasons which have been given in the Report of the Select Committee, and for the further reason that there may be agreements in which the Commissioner of the Sundarbans may be mentioned as an arbitrator in a *quasi*-private capacity. I think therefore it is necessary that we should retain clause 4, and I oppose the amendment."

The Hon'ble BABU BHUPENDRA NATH BASU said:—"I support the learned Advocate-General in the contention he has submitted to the Council. Section 3 of the Select Committee's Report deals with the powers and functions of the Commissioner in the Sundarbans—powers and functions which he may emphasise or which may be vested in him under any Statute, and section 4 deals with documents in which the Commissioner of the Sundarbans is referred to either in a private capacity or in a *quasi*-public capacity and in which he exercises powers and functions not devising them by Statute, but under agreement. I think it might lead to a great deal of difficulty and confusion if section 4 as drafted by the Select Committee were omitted. The only objection that the Hon'ble Mr. Chaudhuri has to this section is that it is superfluous; but on the other hand the omission of it may give rise to great difficulties, and in that view I would humbly submit that the recommendation of the Select Committee with regard to this section may be accepted."

The Hon'ble BABU KALI PADA GHOSH said:—"Although I fully agree with the Hon'ble Mr. Chaudhuri that the word 'land' as used in clause 4 of the Bill may give rise to controversy, I cannot go so far as to say that the clause should be omitted, and I agree with the Advocate-General, for the reason stated by him, that the retention of clause 4 is necessary."

The Hon'ble MR. CHAUDHURI, in reply, said:—"I beg to correct the Hon'ble Babu Bhupendra Nath Basu when he says that my only objection to clause 4 is that it is superfluous. I did not simply say that it was superfluous, but I urged for its omission also because of the limited nature of the expression 'instrument relating to land.' It does not cover general agreements and contracts. If there were none of that kind, I would not press my objection, but if there be any—and we are not sure whether that is the case or not—it would be rather risky to have clause 4 in its present form."

The Motion was then put and lost.

The Hon'ble MR. CHAUDHURI also moved that clause 3 of the Bill be amended as follows and that clause 4 be omitted:—

All the powers and functions heretofore vested in, and exercised by, the Commissioner in the Sundarbans in any district shall henceforth be vested in, and exercisable by the Collector of that district, and in every written instrument all references to the Commissioner in the Sundarbans shall be construed as referring to the Collector.

He said:—"I have already given my reasons for regarding clause 4 as it stands now as being of very restricted operation, limited as it is in regard to written instruments relating to land. I think, therefore, that if it be desirable to retain it, it, would be better to read the two together as above. In the amendment I propose, clause 4 has been tacked on to clause 3 with certain omissions. The expression 'relating to land' has been omitted to widen the scope of the interpretation clause. In the next place, although the words 'Collector of the district in which the land or any part of it is situated' are omitted, still in clause 3 the words 'by the Collector of that district' all ambiguity is removed with regard to the expression 'Collector' with which the amended clause closes. If it is the Collector by

whom all the powers and functions heretofore vested in, and exercised by, the Commissioner in the Sundarbans is to be exercised within whose local area any boundary disputes arise, he will surely be the officer who would arbitrate with regard to such boundary disputes. If the boundary extends to the jurisdiction of another Collector, either of them or both may arbitrate by arrangement. If we go on reading clause 4 into clause 3 thus 'and in every written instrument' without limiting the expression 'written instrument' to land, then it would include agreements, contracts, deeds or documents of every kind, and in such written instruments all references to the Commissioner in the Sundarbans will be construed as referring to the Collector. In putting clause 3 in the form in which I have, I think it will cover the interpretation clause and at the same time obviate the difficulties that may arise from limiting clause 4 to written instruments relating to land."

The Hon'ble MR. O'KINEALY said:—"I regret that I cannot support the present amendment of the Hon'ble Mr. Chaudhuri. The first objection that I have to the amendment he now proposes is this. I explained in the observation which I made on the previous amendment that the subjects of clause 3 and clause 4 as they now stand are entirely different and distinct and have nothing to do one with the other. What the Hon'ble Member proposes to do is to mix those clauses together, that is to say, to make one clause deal with two different description of matters instead of having them dealt with separately as they are in the present Bill. That is to my mind a flaw in the proposed amendment which will prevent my supporting it.

"But there is also this. The proposed amendment necessitates that the words of section 3 as they now stand should be made to support the provisions of clause 4 which relate to entirely different matters. That I think is another flaw which shows that the present manner—that is, the manner in which the Select Committee have dealt with these two clauses—is preferable to that proposed by the Hon'ble Member.

"There is another matter also in which this clause is ambiguous, and that is with reference to leases of land extending over two districts. There is no provision which covers this at all, and the Hon'ble Member has had to resort to an elaborate argument for the purpose of supporting his view. I think it is desirable to avoid any such necessity, and that it is better to make the sections plain and distinct as to what they are intended to mean.

"There is another matter with reference to this amendment which I think makes it dangerous. So far as is known the only matters to which clause 4 can apply are matters and incidents dealing with land. No other are known in which the powers of the Commissioner of the Sundarbans are exerciseable in a private manner, and if that be the case it seems to me that it would be wrong to unnecessarily widen the language and make it so indefinite that it would be impossible to say to what it did refer. The language which is used in the section as drafted by the Select Committee deals with the circumstances so far as they are known, and I should think that it would be dangerous to widen the section in any way so as to deal with matters which, so far as is known, do not exist."

The Hon'ble MR. HARE said:—"I must oppose the present amendment. I think, having retained clause 4 of the Bill, it fully fulfils the purposes that we intend. The amendment proposed would be too vague even if it could be adopted for other reasons. If an instrument does not relate to land, it i difficult to say what Collector would be applied to in view of the fact that there are 39 Collectors; but in any case I am bound to oppose this amendment because I prefer the clause in the Bill before us."

The Hon'ble BABU KALI PADA GHOSH said:—"In discussing the previous amendment, the Hon'ble the Advocate-General said, if I understood him correctly, that the words 'all instruments relating to land in the Sundarbans' related to the subject-matter of land and nothing else. Whether that would be

so or not is not quite certain, but I do not think any useful purpose would be served by tacking clause 4 to clause 3 as has been proposed by the Hon'ble Mr. Chaudhuri, and I regret I am not in favour of the amendment proposed by Mr. Chaudhuri."

The Motion was then put and lost.

The Hon'ble BABU AMBICA CHARAN MAZUMDAR moved that the words "land in" after the words "relating to" in clause 4 of the Bill be omitted; and that for the words and expression "land or any part of it" in the said clause the words and expression "subject-matter of such instrument or any part thereof" be substituted. He said:—

"I had the privilege of hearing the Hon'ble Advocate-General in advance of my amendment, and yet I must confess I am not quite satisfied, and consequently I am under the necessity of moving this amendment. The reason for the amendment is quite obvious. The clause as it stands refers simply to land, and there is no doubt about it. This, Sir, seems to me to be neither clear nor exhaustive. There may be instruments relating not only to land but also to water, to the gathering of wax or of cutting timber or relating to any other products of the forest which have always been abundant in the Sundarbans. The Hon'ble Mr. Collin, who ought to be taken as an authority in this matter, himself says there may exist similar cases in some of the old leases or deeds, but that he has not been able to trace any as the leases generally refer to the Commissioner in the Sundarbans or other officer appointed by Government. No doubt the Hon'ble Advocate-General has told us that all the instruments that exist refer only to land, but I am unable to persuade myself to be equally confident that ever since the beginning of the last century we have had in this extensive region instruments relating only to land.

"As a matter of fact it may not be unknown to many persons who actually know about the working of the Sundarbans that there were leases of various other kinds, notably, for cutting timber; there might have been leases also for gathering wax and so forth. To say that there are no other instruments would, I believe, be hazarding a very bold statement. I should have liked to hear some of the Hon'ble Members of this Council who have access to these records to say that there were none; on the contrary I find that the Hon'ble Mr. Collin says that he has not been able to trace out other documents; in fact it would be impossible to trace out all of them. It is only a short time ago that Mr. Collin made this statement, and I do not know what flood of knowledge or information has been thrown amongst us to enable us to say that there are no other leases. Supposing even that there are none, do we ask too much to be more precise and more careful? In this matter in fact, Your Honour will find that clause 1 of section 13 itself notices some of these various kinds of interests, such as gathering of wax and so forth. In this state of uncertainty I think we would be acting simply wisely in making the clause more general in its application instead of restricting it simply to instruments relating to land only.

"It has not been contended, nor do I think will it be contended, that any shelter will be sought to be taken under the General Clauses Act, for neither in the Government of India General Clauses Act nor in the Bengal General Clauses Act is there any definition of the word 'land.' The only definition of 'land' that we find is in the Interpretation Act, 52 & 53 Vict., Cap. 63, but even there the definition is not wide enough to cover the kind of interest, or rather privileges, to which I have referred. Besides, if in the face of section 10 of the Bengal General Clauses Act we have found it expedient to provide this clause, I do not understand how we can be quite free from apprehension that we may not be misunderstood, and that difficulties may not arise hereafter if any question relating to any instruments other than that of land should come up for consideration, and it seems to me that when we have undertaken to settle all doubts, a whole measure would be better than a half measure. Where is the difficulty in making the clause more general?

"I do not of course understand the Hon'ble Advocate-General to mean that simply because the Select Committee has drafted the clause in this fashion

[*Babu Ambika Charan Mazumdar; Mr. Hare; Mr. Earle; Mr. Collin; Babu Kali Pada Ghosh; Mr. Shirres.*]

therefore it ought to be maintained. The thing is, we are going to amend the law, and if we see that the use of certain other words would make it more general so as to cover a much larger area than might be covered by the words settled by the Select Committee, I do not see there ought to be any difficulty in accepting it, at all events as a precautionary measure against all possible contingencies. With these observations, I beg to place the amendment before the Council."

The Hon'ble MR. HARE said:—"I must oppose this amendment. I think no case has been made out for extending clause 4 so as to cover all written instruments, and I therefore think the clause may stand as it is in the Bill now before the Council."

The Hon'ble MR. EARLE said:—"I should like to point out that the Commissioner in the Sundarbans could only act as an arbitrator in his private capacity or in a semi-private capacity by permission of the Board of Revenue. The Board gave him that permission under certain forms of leases that are given in the Waste Lands Manual. Those forms of leases refer entirely to land, and not to water, timber or any other article. It seems to me, therefore, to be quite unnecessary to widen the scope of the section in the manner proposed by the Hon'ble Babu Ambica Charan Mazumdar."

The Hon'ble MR. COLLIN said:—"As the Hon'ble Babu Ambika Charan Mazumdar has referred to me as an authority in such flattering terms, I would only say that in the letter in which I raised the point on which clause 4 was added, I referred to certain forms of leases which are in existence and which are to be found under the Waste Land Rules and in which certain power is given to the Commissioner in the Sundarbans. I also said that there may be some other agreements which I had not been able to trace. I referred then entirely to agreements with reference to land. The different conditions under which grants have been given in the Sundarbans have varied considerably since the Commissionership was appointed, and at one time the Commissioner was a much greater man than he is now, and my impression is that in some of the old leases referring especially to revenue-free lands on Saugor Island, I have seen a reference to the Commissioner in the Sundarbans as being given power to decide certain disputes. It was entirely with reference to those matters that I wrote my letter which has been referred to, and I had not in my mind any reference to any other forms of agreements, such as for collection of wax or fisheries. Those matters are entirely dealt with by the Forest Department. So far as any land has been settled by the Commissioner in the Sundarbans it has been settled with the proprietors without any reservations. Any other land which remains unsettled is under the Forest Department either as a Reserve forest or as a Protected forest, and the rules of the Forest Department govern all the arrangements for collection of revenue."

The Hon'ble BABU KALI PADA GHOSH said:—"I confess I have no practical experience of the working of the Sundarbans forests; but taking a common-sense view of the matter I should say, Sir, the amendment proposed by the Hon'ble Babu Ambika Charan Mazumdar ought to be accepted. Although it may be the fact that in instruments that have been already executed in connection with the Sunderbans only land forms the subject-matter of such instruments, it may so happen that in future leases something other than land or anything connected with forest may be treated in such instruments, and to obviate all difficulties in this connection it would be desirable to accept the amendment proposed by my friend. I do not see any harm in doing so, because all that it aims at is to cover instruments that may relate to matters other than land, and I think it would be wise to accept such amendment."

The Hon'ble MR. SHIRRES said:—"I venture to think that it was incumbent on the Hon'ble Member to produce proof of the existence of some documents which would be prejudicially affected by the proposed legislation. It is neither customary nor wise to legislate on hypothetical possibilities. It is the invariable practice to confine ourselves, when legislating, to ascertained facts."

[*Babu Bhupendra Nath Basu; Babu Ambika Charan Mazumdar; Mr. Chaudhuri.*]

The Hon'ble BABU BHUPENDRA NATH BASU said:—"If my friend, the Hon'ble Babu Ambika Charan Mazumdar, were able to cite cases or instances in which leases relating to things other than land were dealt with or referred to I should have had no hesitation in supporting his amendment; but when I find that the officers, who are principally responsible for the administration of the tract known as the Sundarbans, do not themselves want any such provision as my friend suggests, I do not think it is desirable on the part of non-official Members of this Council and having no part in the administration of this tract to press the amendment which is not wanted by those who are responsible for the administration of that part, and in that view I do not see my way to support the amendment of the Hon'ble Member."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR, in reply, said:—"I will only make one observation with reference to the remarks which have just fallen from my friend, the Hon'ble Babu Bhupendra Nath Basu. I do not admit that there is any difference between official and non-official Members in the consideration of any Bill. It is as much the interest of the official as the non-official Members to see that laws are made so as to be satisfactory in dealing with every possible case that may arise, and the responsibility for this must rest as much with us as with the official Members. I have already stated my views in support of the amendment, but I am asked to cite instances in order to convince Hon'ble Members as to the propriety of my amendment. The fact is that my amendment only aims at dealing with possible contingencies. As I have already said, not that there are actual instances which I can cite, but that instances might arise which might throw us into difficulties, and it is with that view that I propose my amendment. I have nothing further to add."

The Motion was then put and lost.

New Clauses.

The Hon'ble MR. CHAUDHURI, by leave of the Council, withdrew the following motion of which he had given notice, namely:—

That the following clause be inserted after clause 3 of the Bill:—

"4 In clause *Second* of section 13 of the Bengal Land-revenue Assessment (Resumed Lands) Regulation, 1828,—

(*a*) for the words 'Commissioner of the Sundarbans' and 'Commissioner' the words 'Deputy Collector' shall be substituted; and

(*b*) for the word 'Commissioner's,' in both places in which it occurs, the words 'Deputy Collector's' shall be substituted."

The Hon'ble Mr. CHAUDHURI moved that clause *Second* of section 13 of the Bengal Land-revenue Assessment (Resumed Lands) Regulation, 1828, be repealed. He said:—

"The amendment proposed relates to the survey of the Sundarbans. In the Regulation of 1828 there is provision for carrying on a survey for determining the limits of the Sundarbans. In the preamble to that Regulation, it is stated that it is 'desirable to make provision for the immediate settlement of the limits of the Sundarbans, as ascertained by careful local inquiry, conducted by the Commissioner especially appointed to the duty and the surveyors under his authority." When it was necessary for Government to determine the boundaries of the Sundarbans they appointed a Special Commissioner for carrying on the survey, and when the survey was carried on at the spot certain powers were given to the Commissioner to hear objections and certain limitations were imposed by which if objections were not made within three months they would not be allowed. Then there were other provisions for disputing the boundaries as determined by the survey. The following is the second clause of the Regulation referred to:—

The boundary of the Sundarbans jungle shall be laid down by accurate survey, as determined on the spot by the Commissioner of the Sundarbans; and any zamindar, taluqdar, or party interested shall be entitled, on application made through the Commissioner, and on payment of the charge of preparing the same, to receive a copy of the survey map or of any

part of the same, with the boundary marked there as so determined, together with a copy of the Commissioner's proceedings on the subject.

Any party deeming his right injured by the demarcation so laid down shall be at liberty, at any time within three months from the date of the Commissioner's proceeding fixing the same (which proceeding shall always be held and published on the spot), to contest the same by petition to the ordinary Courts of Justice by which the case is cognizable, praying further investigation:

Provided that no plea of objection against the line of demarcation laid down shall be heard or admitted, excepting only such as shall declare and offer proof that at the time of survey a specific quantity of land or land with defined limits was in the occupation of the petitioner cleared and under cultivation, which, by the line of demarcation adopted, is placed within the Sundarban tract belonging to Government.

Every such application so made shall be regarded as a claim to hold the tract claimed free of the public assessment, and shall be investigated and decided under the rules of Regulation II, 1819, as modified by this Regulation.

"Now when we are going to abolish the office of the Commissioner of the Sundarbans it would be undesirable to let the present words stand. This whole section has reference to the Commissioner of the Sundarbans. It gives him power to determine the boundaries of the Sundarbans and confers right on parties aggrieved by such determination to contest it in courts of law within certain time limitations. I see no good in keeping this clause alive when we are abolishing the office of the Commissioner in the Sundarbans.

"When that office has been extinguished and the Collector has been given all his powers, then any survey that may now have to be carried on in the Sundarbans will be carried on under the directions of the Local Government and by proper officers appointed in this behalf. That is the general law, and to leave any special law with regard to the survey of the Sundarbans in an old Regulation would be inadvisable. The Sundarbans forms the lowest portion of the Gangetic delta. On one side it is bounded by the river Megna, on the other side by the Ganges, and it is intersected by numerous rivers and streams and on the south there is the sea; so that the boundaries of the Sundarbans cannot be considered as having been fixed and determined for all times. It may be necessary to take up a re-survey of the Sundarbans. If I am not mistaken, I read in some recent accounts of the Sundarbans that great changes had taken place even in its area; thousands of acres of land have been washed away from the Saugor Island, and there are other portions where similar changes in the boundaries had taken place. If there should be occasion for a fresh survey of the Sundarbans, then the survey will have to be conducted under the general law and under the direction of the Local Government.

"It is a general principle of law that any special law overrides the general law, and there is every likelihood that when a re-survey of the Sundarbans takes place question may be raised by people whose zamindaries or lands may adjoin the boundaries of the Sundarbans as to the validity of any survey carried on under the Survey Act, so long as Regulation III of 1828 which specifically provides for it stands unrepealed. In the Report of the Select Committee it is said that this section has been spent. The Committee evidently referred to the preamble. It is mentioned there that immediate settlement of the limits of the Sundarbans is necessary. That preamble was drawn up when Regulation III of 1828 was passed. So it is surmised that when the limits of the Sundarbans have been once determined no survey for determining the boundaries will hereafter be necessary. But as I have said before, the map boundaries may be fixed, but the geographical boundaries may shift. At any future survey the question will be, under what law the re-survey is to take place. It may be said that the preamble to Regulation III, 1828, is clear that the clause in question only referred to the original determination of the limits of the Sundarbans. But a preamble is as often as not referred to and relied upon for the interpretation of Statutes.

"In case of a subsequent survey under the general law, if any question is raised with regard to the validity of the survey, the persons who will question it will refer to this section, and confusion and conflict is likely to arise. If clause *Second*, section 13, Regulation III of 1828, is regarded as spent, I do

[*Mr. Chaudhuri; Mr. Hare; Babu Ambica Charan Mazumdar; Mr. Earle.*]

not see any use in retaining it in the Statute Book. Since the previous sanction of the Government of India has been obtained in connection with this Bill there is nothing in our way to prevent us from repealing clause 2, section 13 of the Bengal Land-revenue Assessment (Resumed Lands) Regulation, III of 1828, and I, therefore, beg to move for its repeal."

The Hon'ble MR. HARE said:—"I may say I am prepared to accept the proposed amendment which was considered in the Select Committee. It was not necessary to amend clause 2 of section 13, Regulation III of 1828, because its function was already completed, but we see no objection to repealing the section. I therefore say I am prepared to accept the proposal. The effect of this would be that clause 2 of the Bill would be amended and the repeal of the second section of section 13 of the Bengal Land-revenue Assessment (Resumed Lands) Regulation, III of 1828, would be mentioned in clause 2. Clause 2 will then read as follows:—

The Sundarbans Regulation, 1816, and clause *Second* of section 13 of the Bengal Land-revenue Assessment (Resumed Lands) Regulation, 1828, and so much of the Repealing and Amending Act, 1903, as relates to the said Sundarbans Regulation, 1816, are hereby repealed.

The Motion was put and agreed to.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR, by leave of the Council, withdrew the following motion of which he had given notice, namely:—

That the following clause be inserted after clause 4 of the Bill:—

"5. In clause *Second* of section 13 of the Bengal Land-revenue Assessment (Resumed Lands) Regulation, 1828,—

(*a*) for the words 'Commissioner of the Sundarbans' and 'Commissioner' the words 'Collector or Deputy Collector especially empowered by the Local Government in this behalf' be substituted; and

(*b*) for the word 'Commissioner's,' in both places in which it occurs, the words 'Collector's or such Deputy Collector's' be substituted."

In doing so he said:—"As the object of this amendment has been practically gained by the repeal of clause *Second* of Regulation III of 1828, it is no longer necessary for me to move this amendment."

The Hon'ble MR. HARE moved that the Bill, as settled in Council, be passed.

The Motion was put and agreed to.

THE BENGAL REPEALING BILL, 1905.

The Hon'ble MR. EARLE moved that the Bill to repeal the Bengal Contagious Diseases (Animals) Act, 1880, be taken into consideration.

The Motion was put and agreed to.

The Hon'ble MR. EARLE also moved that the Bill be passed. He observed:—

"I said on the previous occasion all I had to say in regard to this Repealing Bill, and I have nothing further to add to-day."

The Motion was put and agreed to.

CALCUTTA;
The 13th March, 1905.

L. C. ADAMI,
Offg. Secretary to the Bengal Council.

B. S. Press—930G—260—14-3-1905—L. N.

Abstract of the Proceedings of the Council of the Lieutenant-Governor of Bengal, assembled under the provisions of the Indian Councils Acts, 1861 and 1892.

The Council met in the Council Chamber on Saturday, the 18th March, 1905, at 11 A.M.

Present:

The Hon'ble SIR ANDREW FRASER, K.C.S.I., Lieutenant-Governor of Bengal, *presiding.*

The Hon'ble MR. L. HARE, C.I.E.

The Hon'ble MR. K. G. GUPTA.

The Hon'ble MR. E. W. COLLIN.

The Hon'ble MR R. W. CARLYLE, C.I.E.

The Hon'ble MR. W. A. INGLIS.

The Hon'ble MR. L. P. SHIRES.

The Hon'ble MR. H. W. C. CARNDUFF, C.I.E.

The Hon'ble MR. R T. GREER, C.S.I.

The Hon'ble BABU KALI PADA GHOSH, M.A., B.L.

The Hon'ble BABU BHUPENDRA NATH BASU, M.A., B.L.

The Hon'ble BABU SALIGRAM SINGH.

The Hon'ble MR. C. F. LARMOUR.

The Hon'ble MR. A. A. APCAR.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

The Hon'ble MR. J. CHAUDHURI, M.A.

The Hon'ble RAJA BAN BIHARI KAPUR, C.S.I.

NEW MEMBER.

The Hon'ble MR. CARNDUFF took his seat in Council.

[*Babu Bhupendra Nath Basu; Mr. Shirres; Babu Ambika Charan Mazumdar; Mr. Carnduff.*]

QUESTIONS AND ANSWERS.

THE GORAGHAT ROAD WITHIN THE BHADRESWAR MUNICIPALITY

The Hon'ble BABU BHUPENDRA NATH BASU said:—

Is the Government aware that the Sub-Divisional Officer, Serampore, has made over a considerable portion of another important public thoroughfare, *viz.*, "Gorerghat Road" within the Bhadreswar Municipality to Messrs. Thomas Duff & Co., and the said road has already been taken possession of by the Company? Has the transfer been made under the Land Acquisition Act? If not, does the Government consider the transfer legal?

The Hon'ble MR. SHIRRES replied:—

"It has been ascertained that the Sub-Divisional Officer, Serampore, has not made over any portion of the Gorerghat Road within the Bhadreswar Municipality to Messrs. Thomas Duff & Co."

THE CALCUTTA UNIVERSITY TEACHERS' ASSOCIATION.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR asked:—

(*a*) Has the attention of the Government been called to an article in the *Indian Mirror* of the 20th December last, in which it is stated that there has been established in Calcutta a "Teachers' Association" which seeks to control the action of the Senate and the Syndicate of the University?

(*b*) Will the Government be pleased to inquire if there are any teachers or professors belonging to any Government School or College among the members of this Association? And will His Honour the Lieutenant-Governor, as Rector of the University, be further pleased to ascertain how many members of this Association are among the Senate and in the Provisional Syndicate of the University? And how many of them are in Government service?

(*c*) Does the Government approve of Government officers forming part of an organization which, without any sort of official responsibility, thus seeks to prepare work for the Senate and the Syndicate and fetter the independent delegations of these important bodies?

The Hon'ble MR. CARNDUFF replied:—

"(*a*) The Lieutenant-Governor is aware of the existence of an Association called the 'Calcutta University Teachers' Association,' the object of which is 'to provide University teachers with opportunities for the discussion of educational questions and the formation and public expression of definite professional opinion.' All persons who follow, as their main occupation, the profession of teaching in colleges or other institutions affiliated to the Calcutta University, or who, having been formerly so engaged, are mainly employed in the direction or inspection of teaching, are eligible for election as members of the Association.

"(*b*) There are several teachers or professors in Government institutions who are members of the Association. Some of these are also among the members of the Senate and of the Provisional Syndicate of the University.

"(*c*) The Lieutenant-Governor entirely approves of the existence of the Association and of its objects. He considers that it is very desirable to promote greater intercourse among teachers and to enable them to meet together periodically to discuss questions affecting education. Enquiry, which His Honour has thought it necessary to make, shows that the Association does not seek to control the action of the Senate and Syndicate of the University, nor to fetter these bodies in the discharge of their important duties. It is true that, on one occasion, a suggestion was made that all the members, who are also members of the Senate, should bind themselves to act together in regard to a

[*Mr. Carnduff; Babu Ambika Charan Mazumdar; Mr. Shirres.*]

University matter; but this suggestion was not accepted or acted on. His Honour would certainly disapprove of Government officers belonging to any organisation which fettered them in the discharge of their duties either as Government servants or as Fellows of the University or members of the Syndicate. But he has been assured, and is satisfied, that it is not one of the objects of this Association to do anything of the kind; and His Honour believes that Government officers may belong to it not only without injury, but with advantage to the work that they have to do."

INCOME-TAX ASSESSMENT IN BENGAL DURING THE YEARS 1901-1904.

The Hon'ble Babu Ambika Charan Mazumdar said:—

On examining the figures given in the statement of Income-tax Assessment for the years 1901-1902, 1902-1903 and 1903-1904, as furnished by Government at my request on the 4th March, 1905, it appears that although the number of assessees in each of the six classes noted therein was pretty steady in both the years 1901-1902 and 1902-1903, there was a remarkable increase in the number of assessees with income of Rs. 1,000—1,250 in every district in 1903-1904,—the year in which Act XI of 1903 came into force granting exemption to all incomes below Rs. 1,000,—while in not a few of the districts such increase was nearly double of the previous years; and that on the whole while the number of assessees in this class (*e.g.*, Rs. 1,000—1,250) stood at nearly 12,000 in both the years 1901-1902 and 1902-1903, it suddenly rose to 19,000 in 1903-1904; but that such striking fluctuations were not observable in the other classes (*e.g.*, Rs. 1,250—1,500, Rs. 1,500—1,750 and Rs. 1,750—2,000) which still continued pretty steady. And as regards the demand of tax also it would further appear that while the decrease in the revenue on account of exemption of all incomes below Rs. 1,000 ought alone to have come to nearly 9 *lakhs* of rupees, the total revenue for the year 1903-1904 did not show an equivalent percentage of decrease upon the previous year.

(*a*) In view of the above facts and figures, will the Government be pleased to enquire whether or not a large number of persons who were entitled to exemption from taxation under Act XI of 1903 have had their incomes arbitrarily raised so as to be included in the lowest grade of assessment in 1903-1904, thereby frustrating to a large extent the benevolent intentions of Government in raising the minimum of taxable limit to Rs. 1,000?

(*b*) Will the Government be further pleased to warn all income-tax officers against any attempt at tampering with a concession which the Government has generously granted to a poor people particularly in commemoration of His Majesty's accession to the Throne?

The Hon'ble Mr. Shirres replied:—

"The Board of Revenue has asked the local officers to explain the increase in the number of assessees in the lowest grade. Until the replies have been received and considered no further instructions on the subject can be issued."

THE EDUCATION DEPARTMENT.

The Hon'ble Babu Ambika Charan Mazumdar said:—

(*a*) In view of the congestion which has taken place in the Educational Services as organised in 1896 and the want of attraction which they still present to distinguished men in adopting the Educational Department, will the Government be pleased to consider whether it is not time to re-consider and re-adjust the system of 1896 and place the Educational Services on a more satisfactory and attractive basis?

(*b*) Will the Government be further pleased to lay on the table a statement containing the following particulars regarding the officers in the Subordinate

[*Babu Ambika Charan Mazumdar; Mr. Carnduff; Mr. Chaudhuri; Mr. Shirres.*]

Educational Service *outside the grade* established under the re-organization of the Bengal Educational Department in 1896?—

(i) the names of such officers;
(ii) their educational qualifications;
(iii) their present salary;
(iv) the date of their first appointment;
(v) the date on which they were admitted to their present salary.

The Hon'ble MR. CARNDUFF replied:—

"(*a*) The importance of re-organising the Education Department has been fully realised by the Government of Bengal; and a scheme is now before the Government of India. It includes the Provincial and Subordinate Educational Services and the ungraded officers of the Department.

"(*b*) In these circumstances it seems unnecessary to give the detailed information asked for."

MORTALITY IN THE JESSORE DISTRICT.

The Hon'ble MR. CHAUDHURI said:—

According to the last Census Report the population of the district of Jessore shows a decrease of 75,672 in the course of ten years, which, again, is over 25,000 more than the decline of population during the previous ten years, and further the mortality in the district during 1904 exceeded the births by over 14,000. In view of such rapidly increasing mortality in the district due to such preventable diseases as malarial fever and cholera, has the Government enquired into the causes thereof, and will the Government be pleased to state what steps have been taken or may be in contemplation to remove such causes?

The Hon'ble MR. SHIRRES replied:—

"The figures quoted by the Hon'ble Member from the Census Report are correct. There has been no recent increase in the death-rate from cholera in Jessore. The mortality in the year 1904 was unusually high, but the average mortality in the five years ending with 1904 was exactly the same as that of the preceding quinquennium. During the same quinquennial periods the death-rate attributed to fever has increased from 30·66 to 32·08. This subject was discussed in the Resolution on the last Annual Report of the Sanitary Commissioner for Bengal; and it was shown that the increase in the death-rate in certain districts during the five years ending with 1902 as compared with the preceding five years had been coincident with an increase in the rainfall in those districts, while in the remaining districts of the Province and in the Province as a whole there had been a decrease. In Jessore the rainfall increased from an average of 47·60 inches in the five years ending with 1897 to 66·16 inches in the five years ending with 1902. The history of Jessore fever, or as is usually called Burdwan fever, is a long one, and much has been written regarding it. There is every reason to suppose that the mortality due to it when it first appeared was much greater than it has been in recent years, although no reliable statistics are available for the earlier years. Accounts of it will be found in Hunter's Gazetteer in his statistical accounts of the Burdwan and Jessore districts and in the last Census Report by Mr. Gait. A Commission was appointed to enquire into it in the year 1864; and another Commission enquired again in 1881. In 1900 Captain Rogers made another enquiry with special reference to the riparian Municipalities; and again in 1904, in view of the recent advances in bacteriological science, he was specially deputed to make another enquiry in Dinajpur. The last enquiry yielded important results. It has long been known that certain types of fever classed as malaria do not yield to quinine, but we are only now beginning to be able to differentiate them. As the diagnosis of the chaukidar has to be relied on it

cannot be stated what proportion of the deaths are due to true malaria. Government has recently increased the quantity of quinine in pice packets and has taken steps to add to the quinine factory and to increase the number of centres of distribution. It may also be added that a scheme is under consideration for draining some of the bhils in the district of Jessore into the Bhoirab."

MORTALITY IN THE NATOR SUB-DIVISION

The Hon'ble Mr. Chaudhuri said:—

Is not the extraordinary death-rate in the Nator Sub-division (55·77 per mille) during the year 1904 and the high rate of mortality prevailing during previous years (varying between 40 and 50 per mille) and the general decline of population in the sub-division chiefly due to scarcity of good drinking water and the obstruction of the natural drainage of the country? Will the Government be pleased to enquire whether the removal of the sand-bars at the source of the river Bural, ensuring an abundant flow of water from the Padma river through such streams as the Mushakhan, Narad, Gadai and Nundagooja and the automatic flushing out of the beels by such streams during the rainy season, effectively remove the causes of such heavy mortality, the North Bengal State Railway line being also provided, where necessary, with a sufficient number of culverts to prevent the accumulation of stagnant water?

If the above be found, on inquiry, a sufficient remedy, would the Government be pleased to take such steps as it may deem necessary for the purpose?

The Hon'ble Mr. Shirres replied:—

"A report has been called for from the Commissioner of the Rajshahi Division on the subject of this question. What action will be taken on it cannot of course be stated until it has been received."

FEVER IN THE NADIA DISTRICT

The Hon'ble Mr. Chaudhuri said:—

Has the Government enquired into the causes of high rate of mortality prevailing in the Nadia district during the last three years, and have any remedial measures been adopted to cope with the epidemics of cholera and malarial fever which may be said to be responsible for the high percentage of deaths in the district?

The Hon'ble Mr. Shirres replied:—

"The death-rate from fever in the district of Nadia in the year 1904 was 29·69, the average of the preceding five years having been 32·04. The same general remarks apply to fever in Nadia as to fever in Jessore. All that can be said is that the recent advances which have been made in our knowledge of the etiology of the diseases grouped under the head 'Malaria' raise the hope that we may soon learn how to deal more effectively with these diseases. As regards cholera there has, as stated by the Hon'ble Member, been an epidemic of that disease during the last three years. Unfortunately such epidemics are not of rare occurrence in Nadia, and the epidemics of 1883 to 1886, of 1891 and 1892 and of 1894 to 1896 were all more virulent than the present one. Much may be done by the people themselves to conserve and protect from contamination the sources of water-supply and to purify the water by boiling or filtering; but the difficulties which have arisen in connection with several Municipalities in Nadia shew that the standard of duty in regard to sanitation in that district is very low."

[*Mr. Inglis.*]

THE CALCUTTA PORT (AMENDMENT) BILL, 1905.

The Hon'ble MR. INGLIS moved for leave to introduce a Bill to amend the Calcutta Port Act, 1890. He said:—

"Sir, the Bill has been circulated to Members of the Council and the Statement of Objects and Reasons explain generally the object and the scope of the Bill. I propose therefore only to make a few remarks in further explanation of the clauses of the Bill.

The second clause of the Bill proposes to add to the number of the Commissioners by two. The Commission of the Port of Calcutta is constituted under sections 5 and 6 of the Act. There is a Chairman and a Vice-Chairman, there are eight elected Commissioners and five nominated Commissioners. Of the elected members it is provided by the Act that five shall be elected by the Bengal Chamber of Commerce, one by the Calcutta Trades Association, one by the Corporation of Calcutta, and one by such body or firms as the Local Government shall from time to time select as representing the interests of the native mercantile community. The election of this Commissioner is entrusted to the Bengal National Chamber of Commerce. The five nominated Commissioners are distributed as follows: The Deputy Director of the Royal Indian Marine; the Collector of Customs; a representative of the Inland Steam Navigation Companies and two representatives of the Railways. As Members of Council are well aware, there are three large Railway systems which centre in Calcutta: the East Indian Railway, the Bengal-Nagpur Railway and the Eastern Bengal State Railway. These Railways are all largely interested in the Port. Their interests are, however, sometimes divergent and may occasionally be antagonistic. Under existing conditions at any one time two of the three Railway systems are represented on the Commission by a system of rotation. It is held to be desirable that the three Railway systems should be continuously represented on the Commission, and it is proposed to give effect to this by allocating one of the additional Commissioners to the Railway interest.

"It is also held to be desirable that the town of Howrah should be represented on the Commission, and it is intended that the second Additional Commissioner should be either the Magistrate of Howrah or some other person selected to represent that town.

"Clauses 3, 4 and 5 of the Bill are required to enable the Port Commissioners to establish and work a ferry service on the Hooghly. At present the Commissioners are authorised to work a ferry between Armenian Ghat and Howrah. This authority they obtained under the provisions of the Howrah Bridge Act, and it is limited to a service to be maintained in connection with the bridge traffic only.

"It is now almost exactly two years since the Port Commissioners brought this matter to the notice of Government and asked for legislation. When they came up they asked for powers not only to enable them to work a ferry service on their own account but they also asked for powers to regulate the fares of all boats carrying passengers within the port.

"They also asked for powers to enable them to make, alter or repeal bye-laws dealing with ferries and other boats employed as public conveyances within the Port. The powers last mentioned involved an interference with vested rights of the District Board of the 24-Parganas in certain public ferries which they held under the Bengal Ferries Act. This involved a somewhat prolonged correspondence. It was eventually arranged that the Commissioners of the Port should purchase the rights held by the District Board in the ferries, and this having been done it is not necessary to make any provision for the matter in this Bill. It will, however, probably be necessary at a later date to make a small amendment in the Bengal Ferries Act.

"When the draft Bill was submitted to the Government of India last June, the Government of India suggested certain minor amendments and they took exception to the provision by which powers were to be given to the Commissioners

of the Port to regulate the fares of all boats carrying passengers. They pointed out that the Commissioners might themselves be competing for passenger traffic with the owners of other boats, and it was not advisable that the Commissioners should have power to fix the rates at which their competitors should carry passengers. This was accepted by the Bengal Government, and a revised draft of the Bill was submitted to the Government of India last December, and the permission of the Secretary of State to the adoption of the Bill was received at the end of February.

"I think I may say without fear of contradiction that the establishment of a ferry service in the Hooghly will meet a public want. I think it is also generally agreed that under existing conditions the working of such a service by the Port Commissioners will be for the public convenience; at all events I think there are ample reasons for asking that the Port Commissioners may be legally enabled to establish and work a ferry service. At present under the provision of section 55 of the Act the Port Commissioners have authority to purchase or to lease moveable property generally. This no doubt would cover the purchase or hire of steamers. The Port Commissioners are, however, not authorised to build steam vessels except for the service of towing vessels within the port. Sub-section (7) of section 35 empowers them to build steam vessels required for the purpose of towing vessels in the port. It is proposed by clause 3 of the Bill to give the Port Commissioners power to build vessels suitable for the carriage of passengers and goods.

"By clause 5 of the Bill it is sought to give the Commissioners power to frame charges for the carriage of passengers and goods. The effect of clause 4 of the Bill is to restrict the Port Commissioners from the carriage of goods without the sanction of the Local Government. I may say that the Port Commissioners do not desire to compete with other carriers for the conveyance of goods, but it may be necessary and desirable at times that they should have authority to carry goods. The Local Government has ample powers under section 107 of the Act to control all schedules of charges which may be framed by the Port Commissioners.

"Clause 6 of the Bill deals with a different matter. Under section 6, sub-section (*1*), clause (*k*) of the Indian Ports Act, the Local Government has power to make certain rules. The words of the Act are:

> The Local Government may, in addition to any rules which it may make under any other enactment for the time being in force, make such rules, consistent with this Act, as it thinks necessary for any of the following purposes, namely:—(Clause *k*) for licensing and regulating catamarans plying for hire and flats and cargo, passenger and other boats plying, whether for hire or not, and whether regularly or only occasionally, in or partly within and partly without any such port, and for determining the quantity of cargo or number of passengers to be carried by any such vessels.

"By section 8 of the Indian Ports Act, sub-section (*1*), the Conservator of any Port subject to this Act may, with respect to any vessel within the port, give directions for carrying into effect any rule for the time being in force therein under section 6.

"By section 7 of the same Act, the Local Government shall appoint some officer or body of persons to be Conservator of every Port subject to this Act. Under the powers given in this section the Commissioners of the Port of Calcutta have been appointed Conservators of the Port. The case, therefore, stands thus: The Local Government has power to make rules for regulating and licensing all boats other than catamarans whether plying for hire or not. The Commissioners of the Port in their capacity of Conservator have powers to carry the rules into effect. There is, however, no authority in section 6 of the Indian Ports Act or in any other section of that Act to authorise the charging of any fees for such licensing or registration. For this we have to refer to section 106 of the Calcutta Port Act. Under this section the Commissioners are authorised to frame a scale of charges and fees to be paid by the owners of vessels plying for hire. They have, however, no authority to frame any scale of fees or charges for boats which do not ply for hire.

[*Mr. Inglis; Babu Bhupendra Nath Basu.*]

Clause 6 of the Bill has been introduced with the intention of removing this distinction.

"It will, I think, be generally admitted that as a part of the administration of the port all boats which ply within it should be subject to control and should be required to be licensed and to be registered, and I see no reason why a distinction should be drawn in the matter of fees between those boats which ply for hire and those boats which ply only for their owners. As I have already said, under section 107 the Local Government has ample power to control the scale of charges which may be suggested by the Port Commissioners. Sub-section (*2*) of section 107 reads thus: 'It shall also be competent to the Local Government at any time to cancel any of the scales framed under sections 103 to 106 (both inclusive), or to call upon the Commissioners to modify any portion of such scales and thereupon the Commissioners in meeting shall modify such scales accordingly.' With these remarks, I move for leave to introduce the Bill."

The Motion was put and agreed to.

The Hon'ble MR. INGLIS introduced the Bill, and moved that it be read in Council.

The Hon'ble BABU BHUPENDRA NATH BASU said:—"With reference to the observations which have fallen from the Hon'ble Mr. Inglis in introducing the Bill I have only one remark to make. It seems that provisions are going to be made which will enable the Port Commissioners to compete against private enterprise. If the Port Commissioners are allowed to establish ferries and to ply boats for hire both as regards passenger traffic and goods they will be formidable rivals against private owners of boats and private carriers. I hope, Sir, public opinion will be invited as regards the desirability of conferring these powers upon the Port Commissioners. There is no doubt, as the Hon'ble Mr. Inglis said without fear of contradiction, that the establishment of ferries will be a great boon conferred on the public, but I may remind Hon'ble Members of this Council that the people of Calcutta, have a great grievance with regard to the hackney-carriage service, and if the Hon'ble Mr. Greer could undertake the burden of providing suitable hackney-carriages for the people of Calcutta we would all be very thankful to him; but the question will arise as to how far public bodies with practically unlimited resources, should be allowed to enter into competition with private individuals, and it is in regard to that part of the Bill that I would ask the Members of the Select Committee which is going to be framed to devote their careful attention and also to call the attention of the public to those provisions."

The Motion was put and agreed to and the Bill was read accordingly.

The Hon'ble MR. INGLIS said:—"I need not add to the remarks which I have made in asking for leave to introduce the Bill. It can, I think, hardly be said to be a contentious measure. Possibly I am taking rather too hopeful a view of this; still I think there is not likely to be much opposition. At the same time it provides for three separate matters, in two of which the public generally and certain firms and associations are distinctly interested. It is therefore desirable that the clauses of the Bill should be well scrutinised in Committee. I now move that the Bill be referred to a Select Committee, consisting of the Hon'ble Mr. Hare, the Hon'ble Mr. B. L. Gupta, the Hon'ble Mr. Apear, the Hon'ble Babu Nalin Behari Sircar and myself, with instructions to report to the Council on the 25th instant."

The Motion was put and agreed to.

The Council was then adjourned to Saturday, the 25th March, 1905.

CALCUTTA;
The 28th March, 1905.

L. C. ADAMI,
Offg. Secretary to the Bengal Council.

B. S. Press—978G—300—30-3-1905—L. N.

Abstract of the Proceedings of the Council of the Lieutenant-Governor of Bengal, assembled under the provisions of the Indian Councils Acts, 1861 and 1892.

The Council met in the Council Chamber on Saturday, the 25th March, 1905, at 11 A.M.

Present:

The Hon'ble SIR ANDREW FRASER, K.C.S.I., Lieutenant-Governor of Bengal, *presiding*.

The Hon'ble MR. L. HARE, C.I.E.

The Hon'ble MR. K. G. GUPTA.

The Hon'ble MR. B. L. GUPTA.

The Hon'ble MR. P. O'KINEALY, Advocate-General of Bengal.

The Hon'ble MR. E. W. COLLIN.

The Hon'ble MR. R. W. CARLYLE, C.I.E.

The Hon'ble MR. W. A. INGLIS.

The Hon'ble MR. L. P. SHIRRES.

The Hon'ble MR. H. W. C. CARNDUFF, C.I.E.

The Hon'ble MR. R. T. GREER, C.S.I.

The Hon'ble BABU KALI PADA GHOSH, M.A., B.L.

The Hon'ble BABU BHUPENDRA NATH BASU, M.A., B.L.

The Hon'ble BABU SALIGRAM SINGH.

The Hon'ble MR. C. F. LARMOUR.

The Hon'ble MR. A. A. APCAR.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

The Hon'ble MR. J. CHAUDHURI, M.A.

The Hon'ble RAJA BAN BEHARI KAPUR, C.S.I.

[*Babu Bhupendra Nath Basu ; Mr. Carnduff.*]

QUESTIONS AND ANSWERS.

SELECTION OF TEXT-BOOKS.

The Hon'ble BABU BHUPENDRA NATH BASU asked :—

(*a*) Has the attention of the Government been drawn to the article entitled *Pathya Nirddharan-Rahasya* or "The Secret of the Selection of Text-Books" in the *Basumati* newspaper of the 3rd September, 1904, and will the Government be pleased to say what steps have been taken to remove the grievances mentioned in the said article ?

(*b*) Will the Government be pleased to state if it is a fact that the names of the experts appointed by the Director of Public Instruction for the preliminary examination of books intended for primary schools are kept secret, and, if so, will the Government be pleased to state the reasons why the names are kept secret ?

(*c*) Is the Government aware that, in spite of the existence of books written by Bengali authors and published in India, and approved by the Text-Book Committee, books published by English publishers, such as Messrs. Macmillan & Co., Messrs. Blackie & Sons, and adversely criticized by the press and the public, are given undue preference by the Education Department ?

(*d*) Is the Government aware that, contrary to its declared policy of destroying monopoly in text-books and giving encouragement to deserving authors, text-books written by the same authors, notwithstanding the existence of other text-books approved by the Text-Book Committee, are selected year after year ?

(*e*) Is the Government aware that, for Standard VI, the Text-Book Committee recommended 6 books, of which 5 were written by Bengali authors and published in India and one was published by Messrs. Blackie & Sons, and that the Education Department has appointed the book published by Messrs. Blackie & Sons as the text-book in all the nine Divisions in Bengal, and will the Government be pleased to state if it approves of such a proceeding ?

(*f*) Will the Government be pleased to state upon whose opinions the Director of Public Instruction prescribes the text-books from amongst the list prepared and recommended by the Text-Book Committee ?

(*g*) Will the Government be pleased to appoint Boards of Studies in the Text-Book Committee for the selection of text-books for primary and middle schools every year, a measure which will remove the grievances of the writers and meet the complaints of the public ?

The Hon'ble MR. CARNDUFF replied :—

"Sir, the following are the answers to these questions :—

"(*a*). The article referred to had attracted the attention of the Director of Public Instruction, who found it to be based on an imperfect knowledge of the facts of the case and considered that no action was called for. Thus it is complained that in the month of January, 1904, the names of some good books were included in the list of text-books, and that it is a matter of surprise that they had no place in the list published in August, 1904. But the procedure is that lists of books approved of as text-books are published in the Calcutta Gazette twice in each year, viz., in January and July ; those that are approved of after the issue of the July list being shewn in the Calcutta Gazette in January, and those that are approved of after the issue of the January list being shewn in the Gazette in July ; and it is not the practice to mention any twice over in the Gazette in the course of the same year.

"(*b*). It is a fact that the names of the experts to whom books are forwarded by the office of the Director of Public Instruction for preliminary examination are not published. There is no regular list of such experts kept in the office of the Director of Public Instruction, nor is their number fixed. When books

are submitted by authors for approval, they are sent for preliminary examination to selected competent Professors, Head Masters, Head Pandits or Inspecting Officers (not below the rank of a Deputy Inspector) according to the nature of the subject treated of, the selection of experts for the purpose of such examination being made from the whole body of such Educational Officers and not from a limited number of them. It would serve no useful purpose to make their names known to the public: on the contrary, such a course might do harm rather than good, as authors might be tempted to bring personal influence to bear. It may also be stated that in no case is the condemnation of a book by a single expert accepted by the Director; that when a book is unfavourably reviewed, it is sent to one or more other experts for their opinion, no mention being made of the fact of a previous examination, and that it is only on the result of two or three unfavourable expert opinions that a book is finally condemned.

"(*e*) and (*f*). A comparatively limited number of books under the new scheme of vernacular education has so far been published by Indian authors; and, therefore, the complaint that the productions of English authors receive an unduly large share of patronage is not justified. Since the introduction of that scheme only one Middle Vernacular Geography, one Middle Vernacular Science Reader, one Upper Primary History, one Upper Primary Geography, one Upper Primary Science Reader and one Lower Primary Science Reader in Urdu and Uriya have been recommended to Government by the Text-Book Committee, and all of these were published by Messrs. Macmillan & Co.

"The Director of Public Instruction undertakes the duty of selecting text-books for the scholarship examinations only in order to secure uniformity and fairness in the competition among the candidates for such scholarships, schools sending up candidates for scholarships being alone required to read the books selected. In making his selection the Director sends a copy of each of the books in the approved list for a particular standard to educational officers who are known to be specialists in the particular subjects concerned, and, after carefully considering the opinions passed by them, personally chooses such as seem to him to be most favourably reported upon.

"(*d*). In some cases the same text-books have been in use for more than one year for the scholarships examinations, simply because they have been reported by experts to be the best on the subjects taken up. Should any book better than, or even of equal merit with, any one already in use be published, it would certainly be allowed a place in due course.

"(*e*). The six books recommended by the Text-Book Committee for Standard VI were examined critically by one of the leading experts in English literature in Bengal, and the one by Messrs. Blackie & Sons was considered by him to be distinctly superior to the others. For this reason alone, it was selected as a text-book for all the divisions.

"(*g*). The Text-Book Committee is too small to be split up into the numerous sections required for Boards of Studies for the selection of text-books for Primary and Middle Schools every year, and the suggestion made in this connection is considered impracticable."

EXTENSION OF SERVICE IN THE BENGAL PUBLIC WORKS SECRETARIAT

The Hon'ble Babu Bhupendra Nath Basu asked:—

Has the attention of the Government of Bengal been drawn to an article that appeared in the *Bengalee* newspaper of the 18th March, 1905, headed "Indiscriminate Extensions of Service in the Bengal Public Works Secretariat"? Will the Government be pleased to inquire whether the facts therein stated are correct? If so, will the Government, having in view the hardship unnecessarily caused to the large number of junior assistants employed in that office and also to maintain the standard of efficiency necessary for the proper

[*Babu Bhupendra Nath Basu; Mr. Inglis; Mr. Carnduff.*]

performance of work, be pleased to issue such orders as may be considered desirable in connection with the grant of extensions of service to men employed in that office who have passed the age of 55?

The Hon'ble MR. INGLIS replied:—

"Sir, the article referred to has been laid before Government The question of superannuation is regulated by the provisions of Chapter XVIII, Section IV of the Civil Service Regulations; and Government finds no reasons for supplementing these by special orders in regard to the Bengal Public Works Secretariat."

PROSECUTION OF BIBHUTI SHEKHAR MUKERJEE BY MR. CAREY.

The Hon'ble BABU BHUPENDRA NATH BASU asked:—

(*a*) Has the attention of the Government been drawn to a paragraph that appeared in the *Amrita Bazar Patrika* dated 16th February, 1905, regarding the prosecution of Bibhuti Shekhar Mukerjee, an Arms clerk of Berhampore, by Mr. Carey, the late District Magistrate of the district?

(*b*) Is it not a fact that case after case until they came up to ten was instituted against Bibhuti Shekhar Mukerjee?

(*c*) Will the Government be pleased to state how many of these cases ended in conviction, and what is the amount of cost incurred by Government to conduct the unsuccessful cases?

The Hon'ble MR. CARNDUFF replied:—

"Sir, the answer to these questions is that the matter referred to by the Hon'ble Member attracted the attention of the Government some time ago, and the Commissioner was requested to report the results of all the prosecutions instituted, the number of which is believed to be ten, as stated, on their completion. The Commissioner's final report is still awaited."

THE CASE OF BABU ANNODA PROSAD MUKERJEE AND BABU BUNKIM CHANDRA MUKERJEE.

The Hon'ble BABU BHUPENDRA NATH BASU asked:—

(*a*) Has the attention of the Government been drawn to the particulars of a case published in the *Amrita Bazar Patrika* of 22nd Februdry, 1905, in which Babu Annoda Prosad Mukerjee and his son, Bunkim Chandra Mukerjee, were arrested and hauled up by the Golabari Police, Salkia, and also to the judgment of the Joint-Magistrate of Howrah, who made the following remarks on the action of the police:—

I should not feel justified in concluding my remarks on the case without saying something regarding the action of the police in this affair. Their conduct in the case has been to my mind most reprehensible and is deserving of serious notice. It is clear from the evidence recorded in the case that, previous to the arrest of the accused, practically no inquiry, or at the best a most perfunctory one, was made, and two respectable men were arrested in broad daylight and in presence of a number of people under circumstances of a most ignominious character, merely upon the *ex-parte* statements of their enemies. There is every reason to believe that the version put forward by the defence, viz., that the arrest was engineered by the enemies of the accused in collusion with the police, is the true one.

(*b*) Will the Government please state what action has been taken on the aforesaid remarks of the Joint-Magistrate?

The Hon'ble MR. CARNDUFF replied:—

"Sir, the answer to this question is that the case referred to is receiving the attention of Government, and the District Magistrate of Howrah has been directed to submit a full report through the Commissioner of Burdwan."

[*Babu Kali Pada Ghosh; Mr. Carnduff.*]

THE CASE OF MR. LYALL.

The Hon'ble BABU KALI PADA GHOSH asked:—

Has the attention of Government been drawn to the letter of the Dalton-ganj correspondent of the *Engalee* published in its issue of the 10th instant, in which it is alleged that Mr. Lyall, the Deputy Commissioner of Palamau, has committed certain high-handed act's which have given rise to grave apprehension in the minds of the people of the district?

If so, will the Government be pleased to state whether any inquiry has been made with regard to the matter?

If not, will the Government be pleased to cause an inquiry to be made into each of the specific acts mentioned in the said letter, *viz.*—

(*a*) Deputy Commissioner's treatment of Bhaya Saheb of Nagar Ootari;
(*b*) Ditto ditto ditto Abdul Majid of Karoo Batoora;
(*c*) Prosecution of Harnand Ojha;
(*d*) Ditto Saroda Babu, a local Mukhtar;
(*e*) Levying *rasad* through the Police for the *shikar* parties;

and inform the Council the result of the inquiry?

If the above allegations be found to be substantially true, will the Government be pleased to take steps which may be deemed expedient for the purpose of allaying the apprehensions of the people concerned?

The Hon'ble MR. CARNDUFF replied:—

"Sir—The first two cases referred to bythe Hon'ble Member had already attracted the attention of the Lieutenant-Governor, who had caused inquiries to be made through the Commissioner of the Division. The first was of a trifling character, and all that could be urged against Mr. Lyall was that his procedure was not quite correct. The other case was found to relate to criminal proceedings which were before the Courts and did not call for the intervention of the Government.

"Of the other cases alluded to, the Hon'ble Member's interpellation is the first notice that has reached the Lieutenant-Governor. His Honour has not thought it necessary to take any action regarding 'the prosecutions of Harnand Ojha and Saroda Babu.' The Lieutenant-Governor has, however, inquired into the question of *rasad*, and is informed that in the case of one or two subordinate estates appertaining to a larger property which was confiscated by the Government, it has been the practice for the *jagirdars* and *lakhirajdars* concerned to furnish supplies free of cost to all Government officers. Mr. Lyall himself has never approved of the practice, and has been desired to discountenance it in future. Apart from those exceptional instances, Mr. Lyall is, the Lieutenant-Governor is satisfied, particularly careful, not only to pay for all supplies received by him, but also to see that the payments reach those for whom they are intended, that they are not misappropriated, and that the people are not oppressed by the police. From all accounts, indeed, the tribute to Mr. Lyall's kindly interest in the people, which is paid at the close of the letter quoted by the Hon'ble Member, is well deserved."

SUB-DIVISIONAL OFFICERS OF GOBINDPUR AND RANIGANJ.

The Hon'ble BABU KALI PADA GHOSH asked:—

(*a*) Is the Government aware that the Sub-Divisional Officer of Gobindpur in the district of Manbhum and the Sub-Divisional Officer of Raniganj in the district of Burdwan try important criminal cases in camp far away from sub-divisional head-quarters?

(*b*) Does the Government approve of such practice which must necessarily entail great inconvenience and expenses on the parties and witnesses concerned?

[*Babu Kali Pada Ghosh; Mr. Carnduff; Babu Bhupendra Nath Basu; Mr. Shirres; Mr. Chaudhuri.*]

(*c*) Will the Government be pleased to direct that touring officers, who have to try important criminal cases, will so arrange their programme of tour that the dates of important criminal cases may be fixed at the Sadar stations?

The Hon'ble MR. CARNDUFF replied:—

"Sir—No complaints have reached this Government regarding the trial of important criminal cases by the Sub-Divisional Officers of Gobindpur and Raniganj in camp far away from their respective head-quarters.

"In a sub-division the Sub-Divisional Officer himself is the only Magistrate competent to try important cases, while it is unquestionably in the interests of his charge as a whole that he should visit every part of it. His tour arrangements must be made more or less in advance, and in these circumstances it is obvious that it would be impossible for him to refrain from trying important cases elsewhere than at his head-quarters. The most that the Government can do in this connection it has already done by impressing it upon touring Magistrates both that they should endeavour to fix for the hearing of cases those dates on which they will themselves be nearest the villages of the persons concerned, and also that they must not drag parties and witnesses about from camp to camp unnecessarily. A certain amount of inconvenience is, no doubt, inseparable from the touring system; but it should be remembered that, while some persons may thereby have further to go than if the Magistrate were at head-quarters, others obtain easier access to him and have their cases tried nearer their homes."

THE CALCUTTA IMPROVEMENT SCHEME.

The Hon'ble BABU BHUPENDRA NATH BASU, in the absence of the Hon'ble BABU NALIN BEHARI SIRCAR, asked:—

(*a*) Will the Government be pleased to mention the stage which its proposals regarding the structural improvement of Calcutta have reached?

(*b*) Have they been approved by the Government of India and the Secretary of State for India?

(*c*) Do these proposals deal with only broad principles as regards the work of improvement, or do they deal with a cut-and-dry detailed plan of specific works?

(*d*) Has the financial aspect of the entire scheme generally been dealt with in these proposals? If so, what is the estimated total cost, and what are the ways and means proposed to meet the expenditure?

(*e*) Do these proposals involve the passing of any legislative measure? If so, when is such a measure likely to be brought up before the Bengal Council, and when is it likely to be passed into law?

(*f*) Are there any reasonable prospects of any work under this scheme being practically taken up in the course of the next financial year 1905-06?

The Hon'ble MR. SHIRRES replied:—

"The proposals regarding the structural improvement of Calcutta are before the Government of India, and the Lieutenant-Governor is not in a position to make any statement regarding them."

TRIAL OF SESSIONS CASES AND CIVIL SUITS IN THE JALPAIGURI DISTRICT.

The Hon'ble MR. CHAUDHURI said:—

When His Honour the Lieutenant-Governor visited Jalpaiguri the people of the district represented to His Honour—

(*a*) that under the arrangements at present in force in the district of Jalpaiguri regarding the trial of Sessions cases, the Sessions Judge or the Assistant Sessions Judge of Rangpur has to come

to Jalpaiguri once in a quarter to try such cases. Appeals and motions against orders of first class Magistrates have to be presented at Rangpur and heard there. This entails great hardship and inconvenience to persons committed to the Court of Sessions and those convicted by first class Magistrates, and they have often to remain in *hajat* for a considerable length of time before their cases are heard;

(*b*) that as regards civil suits in that district, those exceeding Rs. 2,000 in value and appeals from the orders of Munsifs are now heard by the Subordinate Judge of Dinajpur, who under present arrangements holds his Court in Jalpaiguri for 25 days in every quarter;

(*c*) that as regards civil suits from Rs. 1,000 to Rs 2,000, although one of the Munsifs at Jalpaiguri is invested with powers to try such suits, yet his ordinary duties are so very heavy that considerable delay at present occurs before such suits can be heard.

His Honour kindly promised to enquire into above matters and consider the prayer of the people that an Additional District and Sessions Judge might be permanently stationed at Jalpaiguri and such other steps as may be deemed necessary taken for bringing criminal and civil cases to a speedy trial.

Will the Government be pleased to state if the matters referred to have been considered, and, if so, what relief the Government proposes to give?

The Hon'ble Mr. Carnduff replied:—

"Sir—In the reply to the address referred to by the Hon'ble Member, the Lieutenant-Governor, while expressing his sympathy for any inconvenience that might be caused by existing arrangements, pointed out that, on the figures before him, the amount of civil and criminal work for disposal at Jalpaiguri seemed scarcely to justify the posting to that station of an Additional District and Sessions Judge. His Honour at the same time undertook to make a further enquiry into the matter, and in accordance with that promise, the views of the District and Sessions Judges of Rangpur and Dinajpur, both of whom are concerned, were obtained, and the High Court was then consulted. The Hon'ble Judges have since expressed the opinion that the work which would come before an Additional District and Sessions Judge at Jalpaiguri would be insufficient to occupy any considerable proportion of his time, and that it is possible for the business of the district to be dealt with adequately under the existing arrangements. It was added that the civil business at Jalpaiguri had for some time been receiving the special attention of the High Court, and that any recommendations that might seem desirable would be made to the Government as occasion might arise. There the matter rests, and the Lieutenant-Governor is content to leave it in the hands of the Hon'ble Judges."

JOTEDARS IN THE WESTERN DUARS.

The Hon'ble Mr. Chaudhuri asked:—

On the same occasion the people of the Jalpaiguri district also represented to His Honour the Lieutenant-Governor that the *jotedars* of the Government *khas* mahals in the Western Duars were not allowed to open separate accounts for their respective shares under the provisions of the Revenue Sale Law (Act XI of 1859), though their *jotes* are liable to be and are sold under that Act in default of payment of any single *kist*, with the result that for the default of a co-sharer the other co-sharer's *jote* is also sold. His Honour intimated to the people at the time that he would consult the Board of Revenue and consider if this grievance may be removed. Will the Government be pleased to state if the Board of Revenue has been consulted and any decision arrived at in this respect?

The Hon'ble MR. CARLYLE replied:—

"The Board of Revenue has been consulted, but has not yet given a final reply. Any change would probably involve legislation."

THE CALCUTTA PORT (AMENDMENT) BILL, 1905.

The Hon'ble MR. INGLIS moved that the time for the presentation of the Report of the Select Committee on the Bill to amend the Calcutta Port Act, 1890, be extended *sine die*. He said:—

"Sir, the Members of the Select Committee appointed to consider the Bill for the amendment of the Calcutta Port Act are of opinion that it is desirable to circulate the Bill and to allow those who are interested in the measure an opportunity of making any suggestions or criticisms. I have therefore to move that the time for the presentation of the Report of the Select Committee be extended *sine die*. I wish to say that with reference to the words *sine die* there is no intention of indefinitely post-poning the Report of the Committee, but only that it is not possible at the present moment to fix the exact date for the submission of the Report."

The Motion was put and agreed to.

THE BENGAL SMOKE-NUISANCES BILL, 1904.

The Hon'ble MR. CARLYLE moved that the Report of the Select Committee on the Bengal Smoke-Nuisances Bill, 1904, be taken into consideration.

The Motion was put and agreed to.

The Hon'ble MR. CARLYLE also moved that the clauses of the Bill be considered in the form recommended by the Select Committee. He said:—

"In proposing that the Bill be accepted as amended by the Select Committee, I would desire to say that I do not propose now to anticipate what is to be said on the amendments to be placed before the Council by the Hon'ble Members. To some of these amendments I do not propose to offer any opposition. The Select Committee has tried—

(1) to make it clear that the administration of the Act is to be in the hands of the Commission;

(2) to ensure that all Rules should be considered by experts before they come up to Government for final orders;

(3) some of the penalties have been reduced, as in the opinion of the Select Committee they were unnecessarily severe;

(4) an amendment has been introduced to deal with the case of persons putting up furnaces in prohibited areas and who fail to carry out the order of removal.

"I will deal very briefly with the amendments made. They have been explained in the Report of the Select Committee and I will touch on them very briefly. Section 3, clause (*1*), sub-clause (*ii*), has been altered by adding, after the words 'the raising of steam on ocean-going steamers,' the words 'within such period prior to their leaving the port or to their moving from one part to another thereof, as may be prescribed by rule made under section 10, sub-section (*2*), clause (*f*).' That has been put in to meet the case of ocean-going steamers having to emit smoke, not only when they are leaving port, but also when they are moving from the Jetty to the Dock.

"In sub-clause (*iii*) we have included the words 'the burning of the dead,' because we do not think that smoke caused by the burning of the dead ought to be included within the penalties provided by the Act.

"In section 4, clause (*3*), we have provided that the non-official members of the Commission shall be nominated by the local bodies in such manner as the Local Government may direct.

[*Mr Carlyle ; Babu Ambika Charan Mazumdar.*]

"In section 5, clause (*c*), we have tried to make it clear that an Assistant Inspector and Chief Inspector are subject to the control of the Commission, and the full working of the Act is subject to the Commission.

"In section 6, clause (*1*)(*a*), we have inserted the word 'tile' after the word 'brick,' so as to make the prohibition apply to kilns for burning tiles as well as bricks. After clause (*d*) of the same section we have made provision in cases of licenses granted by the Chairman of the Calcutta Corporation, so as to prevent any conflict of jurisdiction. We have also reduced the penalty in this section.

"In section 7 we have provided for the case of a person putting up a kiln or furnace in contravention of orders in a notified area. Under the Bill as it was first drafted, if a person once put up a kiln and was fined, nothing more could be done. This has now been remedied.

"In section 8 we have provided for the emission of smoke from furnaces at a lower altitude than is to be allowed by rules. We find that in some parts of the town furnaces are constructed which let out smoke on a level with neighbouring houses.

"In section 9 we have provided that powers of inspection are to be exercised by an Inspector after giving reasonable notice in writing. We have also provided that the written authority of the Commission is to be required before an Inspector can test appliances or direct that furnaces be worked in any particular way for the purpose of experiment.

"In section 10, clause (*2*), we have provided in sub-clauses (*f*) and (*g*) in order to meet the alterations made in sections 3 and 9. In section 10, clause (*3*), we have provided that three months' time is to be given for the consideration of Rules drafted under the Act, and in clause (*4*) of the same section we have provided that the Rules shall be considered by the Commission before being submitted to Government for final orders.

"In section 11 we have provided that complaints are to be made only by or with the written authority of the Chief Inspector. We have also reduced the period within which complaints are to be made to two months.

"The amendments submitted are not very important, and I think I may take it that there is no real opposition to the Bill as it has come out of the hands of the Select Committee."

Clause 3.

The Hon'ble Babu Ambika Charan Mazumdar said:—"Your Honour, before I put the amendment which stands in my name, I wish to make a few observations. I heartily congratulate the Select Committee upon the eminently satisfactory Bill which they have after careful consideration and revision presented to the Council. Upon the introduction of the Bill by the Hon'ble Mr. Carlyle I raised an objection to the principle embodied in the constitution of the Commission, and urged the Council to recognize the principle of election in the same. I was glad to find that most of the important bodies and associations whose opinions were invited in the matter joined in this recommendation and I am still more glad to find that the Select Committee have so cordially agreed to this concensus of opinion and modified section 4 so as to make the non-official half of the Commission practically elected by the various bodies and associations whose interests are likely to be affected by the proposed legislation. Important changes have also been made as regards the provisions for the drafting of the Rules under the Act, and a sufficient safeguard has also been provided for improper interference by Inspecting Officers. The Select Committee may be also congratulated upon the reduction which they have granted in the severity of some of the penalty clauses. With these improvements it may be hoped that the proposed legislation will prove, not only conducive to the immediate improvements of this great city, but also to the prospective benefit of those areas to which its provisions may be hereafter extended. But, although the Bill is on the whole a very satisfactory one, I yet venture to think that it is not altogether unsusceptible of a few modifications here and there with a view to give effect to its provisions. And

[*Babu Ambika Charan Mazumdar ; Mr. Carlyle.*]

the first of these modifications which I would submit to the consideration of this Council stands thus:—

That the following clause be added to clause 3 of the Bill, *viz.*:—

(5) "Magistrate" means a Presidency Magistrate, a Magistrate of the first class, or a Bench of Magistrates exercising first class powers under the Code of Criminal Procedure.

"The subject with which the Bill deals is extremely technical, and, although we may not expect many of our Magistrates to be conversant with the technicalities of the subject, yet I think experience may well be relied upon to supply to some extent the deficiency of technical knowledge, and as the cases that will arise under the Act will directly interfere with trade, we ought to safeguard the interests of trade by making these cases triable exclusively by experienced Magistrates. I would therefore ask the Council to accept this amendment, so that all prosecutions under the Act may be triable only by Magistrates of the first class."

The Hon'ble MR. CARLYLE said:—"I have no objection to offer to the amendment as now altered by the Hon'ble Babu Ambika Charan Mazumdar. I think that these cases should be tried by experienced Magistrates."

The Motion was put and agreed to.

Clause 4.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR also moved that in sub-clause (*4*), clause 4, the words and expression "Subject to the provisions of sub-section (*3*)" be introduced before the words "All members" at the commencement of the said sub-clause. He said:—

"No doubt, Sir, nominations are not elections, as nominations have to be accepted, and when accepted they become appointments; but it seems to me that a difficulty may arise in case of vacancies which are provided for in this clause, and, unless we distinctly say that this filling up of vacancies is also subject to the provisions of sub-clause (*3*), some difficulty may arise. I doubt not that it is the intention of the Select Committee that the provision of sub-clause (*4*) is dependent on the provision of sub-clause (*3*) although it is so worded as not to preclude a different interpretation being given to it in case of vacancies. I beg, therefore, that the amendment proposed by me be accepted, so that in the event of a vacancy occurring among non-official members the constituency which sent up the outgoing member might have a fresh opportunity of nominating his successor also."

The Hon'ble MR. CARLYLE said:—"I have no objection to the amendment proposed by the Hon'ble Member. The Hon'ble Member's amendment makes the intention of the Select Committee more clear and I therefore accept it."

The Motion was put and agreed to.

Clause 5.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR also moved that in sub-clause (*2*) clause 5, the words "all Inspectors" be substituted for the words "the Chief Inspector" appearing after the word "and" in the second line. He said:—

"We have already defined an 'Inspector' to mean 'a Chief Inspector of Smoke-nuisances or an Assistant Inspector of Smoke-nuisances appointed under this Act.' As the clause now stands, it means that every Assistant Inspector appointed under section 5, clause (*2*) of the Bill, shall be subordinate to the Chief Inspector and the Chief Inspector in his turn shall be subordinate to the Commission; but I understand that it cannot be the object of the Select Committee to make an Assistant Inspector independent of the Commission. The Commission is the controlling body and all Chief Inspectors as well as Assistant Inspectors should be under their control. I therefore wish to substitute the words 'all Inspectors' for the words 'Chief Inspector,'

o that the Assistant Inspector as well as the Chief Inspector may all be ıbordinate to the Commission, and in this view I ask the Council to accept this ıendment."

The Hon'ble MR. CARLYLE said :—"Here again I am not sure that the ords as they appear in the Bill are not absolutely plain, but perhaps it would ake the section clearer if the Hon'ble Member's amendment were accepted. I ave no objection to the amendment, and it might be accepted by the Council."

The Motion was put and agreed to.

Clause 7.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR also moved that in sub-clause), clause 7, after the words "such order" the following words and expression e inserted, *viz.*, "or within such longer period as the Magistrate may, for ecial reason, allow." He said :—

"This clause deals with the obligation of parties in complying with ders passed by Magistrates in cases of demolition of kilns or furnaces ected within prohibited areas. It is quite possible that a party prosecuted ıder any of the sections of the proposed Act and required by the Magistrate to a certain act within a certain period may commence to do such act and yet il to complete it within the prescribed period. It would be extremely hard in ch cases if the penalty were enforced immediately after the expiration of the ıriod which is fixed by the Magistrate in his first order. To meet such ntingencies and to give some protection to persons who may *bonâ fide* try to rry out the orders of the Magistrate, some discretion ought to be left to e Magistrate for the purpose of granting an extension to such parties, and is in this view that I have suggested this amendment, so that, if a man gins to comply with a Magistrate's order and then for sufficient reason fails to rry it out completely within the time allowed, he may get some extension om the Magistrate and that the penalty may not be enforced until such ıther time expires."

The Hon'ble MR. CARLYLE said :—"I think it is reasonable that the agistrate should have the discretion which will be given him by this amend-ent, and I would therefore ask the Council to accept it."

The Motion was put and agreed to.

Clause 10.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR also moved that in clause (*s*), b-clause (*i*), clause 10, the word "twenty" be substituted for the words thirty-two." He said :—

"I would draw Your Honour's attention to sub-clause (*i*) of section 10, hich authorises the payment of a fee not exceeding Rs. 32 to each any member of the Commission attending a meeting of the Commission. is a small matter, no doubt, but at the same time I think on principle might ask the Council to consider this question. In the Calcutta Corporation have got a fee of Rs. 20 for each member attending a meeting of the General ımmittee, and I am informed by my hon'ble friend, Babu Bhupendra Nath su, that not more than that is allowed to the Calcutta Port Commissioners r attending their meetings. I do not understand why a larger fee should be lowed in the case of the Members of the Smoke-Nuisances Commission. In e first place it will be observed that we have already granted representation the various bodies and associations whose interests are likely to be affected the proposed legislation, and it may be accepted that the representatives ıom these bodies will send will be persons who will be directly interested in e welfare of their constituencies. That ought in itself to be a sufficient ducement to such members to regularly attend meetings of the Commission.

[*Babu Ambika Charan Mazumdar; Mr. Apcar; Mr. Carlyle; Babu Bhupendra Nath Basu; Mr. Chaudhuri.*]

As for the official members I think they already possess sufficient inducements for attending all kinds of meetings with which they may be associated, and I do not think we need be anxious to grant them a larger fee than Rs. 20."

The Hon'ble MR. APCAR said:—"I regret I cannot support this amendment. The Hon'ble Member has referred to the example of the Port Commissioners, but if he will refer to the Port Commissioners Act he will find that the amount is a fixed one and is divided between the Commissioners attending a meeting; the amount of the fee payable depends upon how many members attend. There are weekly meetings and also Sub-Committee meetings. In this case the members of the Commission must be practical men, their experience will be of great benefit, and their time is valuable. The clause here provides that the fee shall not exceed Rs. 32. Even if the maximum fee was fixed, it would not in my opinion be in any way excessive. I regret, therefore, I cannot support any amendment reducing it."

The Hon'ble MR. CARLYLE said:—"I agree with the Hon'ble Mr. Apcar in his opposition to the amendment. He has given reasons for holding that Rs. 32 is not too large a fee, and I do not think we ought to cut it down."

The Hon'ble BABU BHUPENDRA NATH BASU said:—"I beg to support the amendment of my friend the Hon'ble Babu Ambika Charan Mazumdar. As he has pointed out in the Calcutta Corporation, the fee to members of the General Committee is Rs. 20 for each meeting. When that fee was introduced I may remind your Honour's Council that it was strongly opposed by those who were the representatives of the different associations or public bodies in this Council, and especially by those who represented at that time the Corporation of Calcutta. The fee I believe was originally fixed at Rs. 32, and after a considerable amount of opposition it was reduced to Rs 20. There also the introduction of the fee system was justified on the ground that the General Committee needed the services of experienced men, and it would be impossible or rather difficult to have the benefit of their services until a fee was provided, and consequently notwithstanding the opposition of elected members the fee was introduced. I am glad to be able to state that some of the Government members also opposed the introduction of the fee, and the Hon'ble Mr. Oldham to my knowledge did not accept a fee so long as he continued to be a member of the General Committee. In the Port Commissioners we have also got experienced men, and I am told that, if all the members attend a meeting, the fee to each member would be about Rs. 16, but, as all members do not attend and a certain fixed sum has been allotted for the purpose, the fees generally come to about Rs. 20 or Rs. 21. As my friend the Hon'ble Babu Ambika Charan Mazumdar has pointed out the representatives on this Commission will have to safeguard the interests of their constituents. That alone ought to be in our opinion a sufficient inducement for them to serve on this Commission. If an additional inducement is to be given, it ought to be in giving such sums as are paid to members of similarly constituted bodies. As far as Government servants are concerned we have nothing to say. Having regard to the precedents that have been established in this Council, I do not think, Sir, that these precedents should be deviated from, and in that view I support the amendment of my friend the Hon'ble Babu Ambika Charan Mazumdar."

The Hon'ble MR. CHAUDHURI said:—"I beg to support the amendment of the Hon'ble Babu Ambika Charan Mazumdar, and I agree in the remarks made by the Hon'ble Babu Bhupendra Nath Basu. One thing has struck me, and I dare say it has struck other Members and that is as well, that no provision has been made with regard to the expenditure that is contemplated under this Bill. I do not suppose that a Bill is a proper place to make provision for such expenditure, but the appointment of a Chief Inspector and his assistants will undoubtedly entail a heavy expenditure in connection with its working. The working of the Bill will thus be a burden on the provincial account. As far as possible I would relieve this burden on tax-payers. I do not

[*Mr. Chaudhuri; Babu Saligram Singh; Babu Kali Pada Ghosh; Mr. Larmour; Raja Ban Behari Kapur.*]

expect that the Hon'ble Mr. Apcar will appreciate or at all desire that the expenses of the working of this Act will be defrayed out of fines or penalties. In some cases, notably under the Police and other local Acts, a rigorous enforcement of the law always brings no small amount of revenue from such sources. No provision, however, has been made in this Bill and nothing has been said at the time of its introduction or of submitting the Report of the Select Committee how the expenses in connection with this Bill will be defrayed. If the Provincial Fund were to be charged with such expenses, I would not advocate a proposition that would inflict a heavier burden than was absolutely necessary for safeguarding public interest under the provisions of this Bill. With these remarks, I beg to support the amendment."

The Hon'ble BABU SALIGRAM SINGH said:—"With reference to the remarks that have fallen from the Hon'ble Babu Bhupendra Nath Basu, I agree with him, and for the reasons stated by him I also support the amendment."

The Hon'ble BABU KALI PADA GHOSH said:—"I also support the amendment. The Hon'ble Mr. Apcar has pointed out that according to the wording of the clause the fee is not to exceed Rs. 32, but that it may also perhaps mean that the actual figure to be paid to a member attending this Commission may be less than Rs. 32, but, as we find that the fee which is paid to members of the General Committee of the Calcutta Municipality is Rs. 20, and as the work of a member attending on this Commission will not be more onerous or will take more time than that of a Municipal meeting, I submit that the fee payable should be the same as that fixed with regard to meetings of the General Committee of the Calcutta Municipality."

The Hon'ble MR. LARMOUR said:—"I regret I cannot support the amendment. I think the so-called analogous cases that have been brought up as to the Port Commissioners and the Municipality do not bear on the point at all. In the Port Commissioners a certain amount, as the Hon'ble Mr. Apcar has already told us, namely Rs. 280, is divided among fourteen Commissioners, that is to say if out of the fourteen members ten attend they get Rs. 28 each. Whatever the number that attend they divide the Rs. 280 between them. That is hardly a case to bring up for comparison. In this particular Commission men will be wanted of special expert knowledge. Even those members who will be appointed by the Government will, I take it, be required to have this special knowledge, as it would be practically putting the thing out of all power of usefulness if men were appointed to the Commission who had not that knowledge. To take such men away from their daily occupation, whatever it may be, for an hour or two, naturally means that they will lose by it and that they must be compensated for the time they give to such work. The meetings of such a Commission would not be very numerous. At the outset there would be several meetings to draw up Rules or for other preliminary matters; after that the meetings would probably be reduced to one a month or one in two months.

"Another thing must be borne in mind in considering the interests which are at stake. It is very possible that men who form such a Commission will have to be looked for at some distance from the actual spot. We have to consider that this Bill will bear upon the interests of industries scattered over a very large area, and that men representing those industries will probably be brought to Calcutta from some distance to attend if they are appointed under this Commission, and a maximum fee of Rs 32 to get these men to attend on such a Commission is by no means excessive. The men required will be men of position, men who would need to have expert knowledge of the subject. I regret, therefore, I cannot support the amendment."

The Hon'ble RAJA BAN BEHARI KAPUR said:—"Sir, I must support the amendment proposed by my friend the Hon'ble Babu Ambika Charan Mazumdar. The fee should be fixed at Rs. 20, which is the fee allowed to members of the General Committee of the Corporation of Calcutta. The arrangement

[*Raja Ban Behari Kapur; Babu Ambika Charan Mazumdar; Mr. Chaudhuri.*]

in the Port Commissioners, as I understand it, is that Rs. 280 is the fixed allowance which is divisible among members who attend, so that two courses are open to us: either we might say that Rs. 280 are to be set apart for each meeting which will be divided among the members present, or fix the fee at Rs. 20 for each member who happens to be present to discuss a certain meeting of the day. I venture to suggest, Sir, that it appears to me that originally when Rs. 32 was fixed the gold mohur used to be sold at Rs. 16. It was necessarily always understood that a fee of two gold mohurs would mean Rs. 32, but now-a-days the gold mohur is a thing which is difficult to obtain and it is not a current coin, and if it is obtainable at all it is sold at Rs. 24 or Rs. 25. I rise, therefore, to support my friend the proposer of the amendment that the fee should be Rs. 20; but if, on the other hand, Sir, the Council should think that the fee should be a fixed one on the standard of the gold mohur, then as the gold mohur is not obtainable the fee may be fixed at Rs. 25 as one gold mohur. For my part, I would suggest that whatever remuneration is allowed to members of the General Meetings of the Corporation should be fixed for the members who may attend a meeting of this Commission. With these few words I support the amendment."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR, in reply, said:—"Sir, I regret very much to find the opposition which has been offered to this simple amendment. There was a time when the Government constituted Commissions and Committees upon which members used to serve with the utmost zeal and interest, and there was no idea of receiving any money remuneration for their services; but times have now altered and it seems to me that our interest is now gradually assuming more and more substantial form. We have now got the Port Commissioners charging fees, we have got the Municipal Commissioners charging fees, and now we have got a Smoke Nuisances Commission following suit.

"As for the Hon'ble Mr. Apear and the Hon'ble Mr. Larmour offering any opposition, I think I am bound to say a few words. In the first place your Honour will be pleased to observe that as the Bill was introduced there was no question of representation. The Select Committee have generously granted this representation on the recommendation amongst others of the Bengal Chamber of Commerce and the Calcutta Trades Association, and for them now to come forward to say that their representatives cannot attend unless they are allowed a substantial fee looks perhaps somewhat awkward. They wanted representation; the Government has granted it; and when the representation is granted it becomes the thin end of the wedge; and now the worthy representatives of these bodies would quietly tell us,—you have granted us representation; now grant us the money wherewith to keep alive our dying interest in our representation. That certainly looks like business, but does not look decent as far as I can see.

"The Hon'ble Mr. Larmour has told us that the meetings will not be too many. Very well, I accept his words. If the meetings will not be many, why do you charge any fees at all? Your losses can not then be much. It has been suggested that intelligent experts and capable men will have to sit on the Commission, and they must be paid for their work. I do not believe that intelligent and capable men are altogether new indents for the first time brought in this country either by the Chamber or by the association. They did exist before and they did assist us without any remuneration.

"I think I can well understand why the Hon'ble Mr. Carlyle has found it necessary to stand in my way, but I was not at all prepared for an opposition from the representatives of the Chamber of Commerce and the Trades Association, to whom a substantial boon has been granted by the representation which is recognised in the Bill itself."

The Motion was then put and lost.

The Hon'ble Mr. CHAUDHURI said:—"Before moving the amendment which stands in my name I must say that clause 10 as it has been drafted now is to a great extent free from the objections that are often taken to legislation by rules. Sub-clause (*4*), clause 10, has been taken bodily out of the Mines Act,

[*Mr. Chaudhuri; Mr. Carlyle; Babu Ambika Charan Mazumdar.*]

section 20, sub-clause (*j*), with the substitution of the word 'Commission' in the place of the expression 'Mining Board.' The reason why the expression 'where a Mining Board has been constituted' occurs in the Mines Act is that under section 9 of that Act it has been made optional with the Local Government to appoint a Mining Board or not. But the local measure before us marks an improvement over the Mining Act in so far that it safeguards public interest to a greater extent. Here it is provided that the Local Government *shall* appoint a Commission, not that it may, as under section 9 of the Mines Act, which is a Government of India Act. The latter Act makes it optional to appoint a Mining Board or not; but it has been provided under the present measure that the Local Government must appoint a Commission. Having regard to clause 4 of the Bill, it seems to me that 'the expression where a Commission has been constituted under section 4,' in clause 10, sub-clause (*j*) is out of place, because under this Bill a Commission will have to be appointed to superintend the working of the Act and there is no option left. I beg to move, therefore, that in sub-clause (*j*), clause 10, the words and expression 'where a Commission has been constituted under section 4' be omitted, and that after the words 'the Commission' in line 3, the words 'constituted under section 4' be added. The dropping of the first portion 'where a Commission has been constituted under section 4' thus does away with the contigency of the rules being framed before the Commission is appointed. I was given to understand that there would be no opposition to my amendment, so I have nothing more to add to what I have said."

The Hon'ble Mr. CARLYLE said:—"I have no objection to the amendment proposed by the Hon'ble Mr. Chaudhuri, and I think it may be accepted by the Council."

The Motion was put and agreed to.

Clause 11.

The Hon'ble Babu AMBIKA CHARAN MAZUMDAR moved that the clauses (*a*) and (*b*) of clause 11 be amended in the following manner, *viz.*:—

(*a*) upon a complaint made with the sanction of the Commission, and

(*b*) within a period of two months from the date of the commission of the offence, unless the offence is continuous in its nature, in which case within two months from the date on which the commission or existence of the offence was brought to the notice of the President of the Commission.

He said:—"I object in the first place to clause 11 of the Bill in so far as it gives the Chief Inspector authority to start a prosecution independently of the authority of the Commission. The matter is a serious one. All prosecutions under this Act are likely to affect trade, and we cannot be too careful in taking prosecutions under this Act. I submit that with the view to ensure proper scrutiny in matters of prosecutions, the sanctioning authority should be vested in the Commission. It is no new idea which I am placing before the Council. Similar provision is to be found in the Bengal Municipal Act where no prosecution can be instituted without the sanction of the Commissioners. It may be a little longer proceeding, but I do not think it will be a difficult proceeding to obtain the necessary sanction when required from the Commission. For instance, a man commits an offence: the inspecting staff has simply to bring it to the notice of the President of the Commission and he has simply to take the opinion of the members of the Commission in order to institute a prosecution. There will be many things to be considered before sanctioning a prosecution under this Act, and this can only be properly considered by expert members of the Commission. I do not think it would be at all safe to give this important power to the Chief Inspector, and I think we would be acting wisely in making it compulsory that before the institution of a prosecution under this Act the sanction of the Commission should be obtained.

"In the next place, the object of my second amendment is to make the law still more stringent, in that when an offence is of a continuous nature, the

[*Babu Ambika Charan Mazumdar; Mr. Carlyle; Babu Bhupendra Nath Basu; Mr. Chaudhuri.*]

party should not be allowed to escape the consequences of his act or omission, simply because the inspecting staff might overlook now and then the existence of an offence. There are various offences which will arise under this Act which will be of a continuous nature, and if we leave the clause of the Bill as it stands I believe we might leave a wide door to offending parties escaping the consequences of their act and defeating the provisions of the Act by simply raising the plea that the offence was committed more than two months' ago and no notice has been taken of it in proper time. In these cases I believe it would be wise to provide that the Commission should have power to prosecute a man even after two months, provided they were ignorant of the existence of the offence committed; and in this view I would ask the Council to accept my second amendment also, which refers to clause (*b*). I may as well inform Hon'ble Members of the Council that the same sort of safeguard has been provided in the Municipal Act, and we ought also to provide that people may not escape the consequences of their act and nullify the provisions of this Act, simply because there may be some negligence on the part of the inspecting staff. In this view, I ask the Council to accept both the amendments which I have proposed."

The Hon'ble Mr. CARLYLE said:—"I regret I must oppose this amendment. The meetings of the Commission will, I hope, be rare after the Act is once in working order and it would be very inconvenient to call a meeting for the purpose of enabling the Commission to authorise the prosecution of every petty offence. If the Hon'ble Member's amendment were accepted the result would be that it would be necessary to call meetings at frequent intervals for such purposes, as the limit of time within which a prosecution can be instituted has been reduced to two months. Under the Bill as it stands the Chief Inspector has to give written authority before a Magistrate can take cognizance of an offence, and this affords an ample guarantee that there will be no reckless institution of cases under this Act.

"With regard to the amendment of clause (*b*), I can see no reason why continuous offences should be put on a different footing from other offences, and I think it is unnecessary to change the wording of the clause as sent up by the Select Committee."

The Hon'ble Babu BHUPENDRA NATH BASU said:—"As regards the first amendment of clause 11 of my friend, the Hon'ble Babu Ambika Charan Mazumdar, I think it would meet the objection of the Hon'ble Mr Carlyle if instead of 'Chief Inspector' we substituted 'the President of the Commission.' Prosecutions under the Calcutta Municipal Act are always undertaken after sanction by the Chairman, so that there is a safeguard against unnecessary harassment and of the matter being properly enquired into. So if my friend the Hon'ble Babu Ambika Charan Mazumdar will accept this suggestion, the difficulty that the Hon'ble Mr. Carlyle has suggested that the Commissioners would have to sit will be obviated by having the sanction of the President of the Commission."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said:—"With Your Honour's permission I would accept the suggestion of my friend the Hon'ble Babu Bhupendra Nath Basu, and in place of 'the sanction of the Commission' I would substitute the expression 'the sanction of the President of the Commission.'"

The Hon'ble MR. CARLYLE said:—"I still think it is unnecessary to make any change. The Chief Inspector has been placed by the Act entirely under the orders of the Commission, and it is very unlikely that he will recklessly sanction prosecutions. I think we might trust him."

The Hon'ble MR. CHAUDHURI said:—"With regard to the second part of my friend the Hon'ble Babu Ambika Charan Mazumdar's amendment, I regret I cannot support it. It seems to me that the second part of his amendment is opposed in principle to the first part. In the first part he seeks to safeguard against any prosecution being lightly started. Supposing

[*Mr. Chaudhuri; Babu Kali Pada Ghosh; Mr. Carlyle; Mr. Shirres.*]

the first portion of his amendment is not carried, the second portion will only create an opportunity for people being put to endless harassment. Supposing the emission of smoke of a particular density sufficient to constitute an offence under the Act is not carefully watched by the Inspectors and it is reported to the Chief Inspector that dense smoke was emitted on a number of days and prosecution is started for the first of the series of such acts and it fails for want of sufficient particulars and by that time just two months are over. On the pretence of being a continuous offence a fresh prosecution may be started under the same series of acts, and now the requisite particulars might be forthcoming at the instance of the thwarted Inspector. The time limit in such cases would afford no relief. I think the effect of clause (*b*) of his amendment will be to make the Act more stringent in its operation and give larger powers in the hands of the Chief Inspector. Should my friend's first amendment be lost, I think it will be undesirable to accept the second portion of his amendment."

The Hon'ble Babu Kali Pada Ghose said:—"I had expected that the Hon'ble Mr. Carlyle would have seen his way to accept the amendment subject to the alteration proposed by my friend the Hon'ble Babu Bhupendra Nath Basu, that is, that the written authority of the President of the Commission should be obtained before starting a prosecution. Clause 11 is practically a penal clause, and in enacting such a clause I think we should guard against prosecutions of a frivolous character. I think it would meet that object if the Hon'ble Mr. Carlyle accepted the amendment subject to that alteration. As regards the second amendment proposed by my friend, the Hon'ble Babu Ambika Charan Mazumdar, I am sorry I cannot support it. Clause (*b*) as it stands in the Bill would not in my opinion be productive of any mischief, and I do not see any reason for the alteration of that clause."

The Motion was then put in its amended form and lost.

The Hon'ble Mr. Carlyle moved that the Bill, as settled in Council, be passed.

The Motion was put and agreed to.

THE BENGAL FINANCIAL STATEMENT FOR 1905-1906.

The Hon'ble Mr. Shirres laid on the table the Bengal Financial Statement for 1905-1906, with explanatory notes. He said:—

"Sir, I beg to lay upon the table the Financial Statement for 1905-1906, together with the usual appendices and accounts.

"2. In the year which is just about to close the crops are reported to have been considerably below the average. The winter rice crop was estimated at 14 *per cent.* below the average; and the *bhadoi* and *rabi* food crops and the *bhadoi* non-food crops, which include jute and indigo, are said to have yielded only three-fourths of the average outturn. These are, however, probably under-estimates. At one time, indeed, until heavy rain fell in October, there was considerable anxiety; and even after the cold-weather crops seemed secure they were damaged by frost and hail. On the other hand the returns from the Port of Calcutta show that in the first eleven months of the year the exports and imports of merchandise have increased in value by 11¼ *per cent.*, the percentages in the case of cotton goods and machinery being 20·15 and 38·8

respectively; while the marvellous industrial expansion which we see going on around Calcutta appears to suffer no abatement, nor do we ever hear of workmen being unable to find work.

"3. From a revenue point of view the year has not been unsatisfactory. The revised estimate for the current year exceeds the original budget estimate by Rs. 12,66,000. This figure includes special grants of two lakhs for University Education and of Rs. 75,000 for the improvement of the Port of Chittagong which have been made by the Government of India, but if these are excluded the excess still comes to Rs. 9,91,000. In the previous ten years, owing to the cautious system of budgetting, the average difference between the revised estimate and the budget estimate has been Rs. 10,88,000, or if we exclude exceptional items Rs. 10,58,000. When we framed the budget of the current year in March last we allowed for an increase of Rs. 5,56,000, and we now estimate for a further increase, apart from the grants for University Education and Chittagong, of Rs. 9,91,000 which brings the total improvement during the current year up to Rs. 15,47,000. A comparison of the actuals of the previous six years shows that the average advance from year to year has been Rs. 13,58,000. The enhancement of revenue during the current year is partly from departmental receipts which involve an increase of departmental expenditure, but on the whole, and in view of the fact that we receive a smaller share than formerly of the expanding revenues technically known as 'the divided heads,' we may be satisfied with the result. In passing I may explain that our favourable position is largely due to an unusual expansion of the stamp revenue, chiefly under the head of Court-fee stamps. The average annual addition to the revenue from stamps in the last five years has been Rs. 3,89,000, and when preparing the budget for the current year we allowed for an increment of three lakhs, giving a provincial share of 1½ lakhs. Now on the strength of the receipts during the first 11 months of the year, we have added six lakhs in the revised estimate of the current year, making a total of nine lakhs of which the Local Government gets one-half or Rs. 4,50,000.

"4. In the financial estimate which was concluded last year, the revenues assigned to us amounted to Rs. 4,98,87,000. In the budget for the current year we estimated for an increase of Rs. 5,56,000. The revised estimate for the current year shows a further increase over the budget estimate of Rs. 12,66,000. In the budget for next year we have allowed for an increase of Rs. 6,28,000. If these three sums are added together, we get a total of Rs. 24,50,000 by which the permanent revenue of next year is estimated to exceed the amount assigned to us in the financial settlement a year ago. Of this amount sums aggregating Rs. 19,48,000 have been allotted to recurring expenditure under various heads, leaving a margin of Rs. 5,02,000 which for the present has been devoted to non-recurring expenditure. The details of the recurring expenditure will be found in paragraph 13 of the explanatory notes. The non-recurring expenditure is given in paragraph 14.

"5. So far I have dealt with the addition to the permanent or recurring revenue, but we also begin next year with a large opening balance, part of which may be devoted to non-recurring expenditure. A year ago we estimated that the opening balance of the current year would be Rs. 1,37,99,000. Owing, however, to adjustments after the close of the year, principally on account of jail manufactures and survey and settlement charges, and owing also in some cases to the receipts having proved better than the revised estimate, there has been an increase in the opening balance of Rs. 4,54,000. This amount has been carried forward and added to the closing balance of the current year which corresponds with the opening balance of next year. Then again, the revised estimate of receipts for the current year exceeds the budget by Rs. 12,66,000 and this excess is also carried forward. Lastly, we have a net decrease in the expenditure of the current year. There have been large savings under many heads, but most of these have been transferred to other heads and spent. The net result is that the expenditure falls short of the estimates by Rs. 2,21,000. These three sums Rs. 4,54,000,

the increase in the opening balance of the current year over the original estimate, Rs. 12,66,000 the excess over the estimate of the receipts of the current year and Rs. 2,21,000 the saving from decrease in expenditure make a total of Rs. 19,41,000, and go to swell the closing balance of the current year and the opening balance of next year. In the budget which was placed before this Council in March last the closing balance of the current year was estimated at Rs. 1,05,45,000, but with these additions it amounts to Rs. 1,24,86,000. This is the opening balance which we have to dispose of next year, but out of this we must keep the 50 lakhs which have been specially given for the Calcutta Improvement Scheme, 20 lakhs the ordinary minimum of the Provincial balance and some part of the lump grant of 50 lakhs which was given at the time of the financial settlement on the condition that the expenditure should be spread over several years. We propose to carry forward Rs. 12,49,000 for expenditure in 1906-1907 and subsequent years. These three sums amount to Rs. 82,49,000, and we propose to begin next year with a balance of Rs. 1,24,86,000 and to end it with this balance of Rs. 82,49,000. Thus we propose to spend out of our opening balance Rs. 42,37,000. The Government of India have also given us grants amounting to Rs. 38,81,000. The total expenditure shown in the budget which is now before us is therefore Rs. 5,25,52,000 the estimated revenue of next year, *plus* Rs. 42,37,000 the amount taken from the opening balance *plus* Rs. 38,81,000 granted by the Government of India, making a grand total of Rs. 6,06,70,000.

"6. The effect of these arrangements on our financial position is that our scale of permanent or recurring income has been increased to Rs. 5,57,87,000 while our scale of permanent or recurring expenditure has been raised to only Rs. 5,52,85,000, so that there is, as I have already said, a margin of Rs. 5,02,000 On the revenue side the total is made up of Rs. 4,98,87,000 the revenues assigned to us in the financial settlement, *plus* 24½ lakhs the estimated increase of those revenues next year due to expansion to which I have already referred, *plus* 34½ lakhs the total of the recurring grants made by the Government of India. On the other side we have the scale of expenditure fixed in the financial settlement which is the same as the revenues made over to meet that expenditure, that is Rs. 4,98,87,000, *plus* Rs. 19,48,000 the total of the items of recurring expenditure enumerated in paragraph 13 of the explanatory notes *plus* 34½ lakhs the special grants made by the Government of India.

"7. I now come to the four grants made by the Government of India for expenditure next year. One of these is a non-recurring payment of Rs. 4,31,000 for the improvement of Chittagong and calls for no special remark. The other three are annual grants of 12, 10 and 12½ lakhs, for police reforms, for primary education and to District Boards respectively. In addition to these sums a further allotment for agriculture is promised, but the amount has not yet been fixed. The special grant for University Education has been made only for the current year and will be utilised principally in extending the premises of the University and in constructing buildings. No provision has been made in the budget for a repetition of this grant, although it has been indicated that further sums will be received.

"8. The Resolution of the Government of India which was published in the newspapers a few days ago deals very fully with the measures contemplated for the improvement of the police force; and I need not detain you with any remarks on the subject. No doubt the members of this Council will cordially welcome the inauguration of these great reforms.

"9. Of the ten lakhs allotment for primary education a considerable portion will at first be devoted to the construction and equipment of new

buildings, both because it would be impossible advantageously to devote ten lakhs at once to recurring expenditure and because in many cases the schools are squalid, dark, overcrowded and generally unsuitable, a state of things which is prejudicial to the health of the scholars and which makes effective teaching impossible. Ultimately the grant will be utilised in providing for the education of Muhammadans, for the conversion of lower primary into upper primary schools, for the opening of training schools for teachers of rural primary schools and for an inspecting agency which will, as in the other Provinces in India and in England, be under the direct control of the Education Department. This raises the question of the position of the existing staff of Sub-Inspectors whose duties would overlap. Economy requires that the whole staff of Sub-Inspectors should be graded together and should form one service, a measure which will bring the educational policy in Bengal into line with that followed in other Provinces.

"10. The grant of $12\frac{1}{2}$ lakhs made to District Boards is approximately equal to $\frac{1}{4}$ of the receipts derived by the District Boards from provincial rates and will increase as the rates increase. The annual increment will probably be about Rs. 14,000 a year. At first, as in the case of the former five lakhs grant, the money will be placed at the disposal of the Commissioners of Divisions for distribution among the District Boards. Each Commissioner will be given a sum approximately equivalent to a quarter of the provincial rates raised in the Division. A system of permanent doles is, however, unsatisfactory, and after two or three years if not sooner each District Board will be finally given its own share. It is not considered advisable to do this at once, both because some of the districts when suddenly called upon to do so might not be able to spend the full amount to the best advantage, while others might be able to spend more, and also because it may be desirable at first to give some special assistance to the more backward districts.

"11. This large addition to their resources will enable the District Boards not only to improve the condition of the roads, but also to make more adequate provision for the needs of the districts in other respects. Thus, there is a great and preventible mortality among cattle, and those of the Boards which have not yet taken up veterinary work will no longer have an excuse for neglecting to do so. They will also be in a position to maintain, or if necessary increase, their expenditure on hospitals and dispensaries, on schools, and on water-supply and sanitation, and in the event of scarcity they will have larger resources on which to fall back. This large grant will also it may be hoped definitely set at rest the question of the diversion of the road cess. All the District Boards will now be in a position to devote the full income from Provincial rates to the purposes contemplated in the Road Cess Act without injury to any of the institutions which they have established; and the Lieutenant-Governor will be prepared to insert a provision in the Local Self-Government Bill requiring that this condition shall be observed in future. It will then become the business of the auditing officers to see that the expenditure is in accordance with the Act.

"12. The financial statement will in the ordinary course come up for discussion at the next meeting of Council which will be held on 31st March. I shall be much obliged if Hon'ble Members who propose to ask for any information or explanation or to comment on any matters in connection with the budget will give me notice three or more days before the meeting."

THE BENGAL FINANCIAL STATEMENT FOR 1905-1906.

PART I.—General Review.

(1) ACCOUNTS FOR 1903-1904

In the revised estimates of last year which were laid before the Council on the 26th of last March the closing balance of last year, and therefore also the opening balance of the current year, was placed at Rs. 1,37,99,000. The accounts of last year are now available and show that the actual closing balance came to Rs. 1,42,52,918, or Rs. 1,42,53,000 in round numbers which is Rs. 4,54,000 more than the revised estimate. The improvement was due partly to large adjustments after the close of the year on account of jail manufactures and survey and settlement charges, and partly to the receipts under "Excise," "Provincial rates," "Miscellaneous" and "Irrigation Major Works" having proved better than was anticipated. The actual increase in receipts was Rs. 6,67,000, but against this must be set an increase of expenditure amounting to Rs. 2,13,000; so that the net improvement was, as already stated, Rs. 4,54,000.

(2) REVISED ESTIMATE FOR 1904-1905

2. For the reasons explained above the opening balance of the current year has been placed in the revised estimate at Rs. 1,42,53,000. The excess of Rs. 4,54,000 over the original budget estimate of the year is not available for expenditure during the current year, because although the Local Government may transfer amounts from one head to another it may not increase the grand total of expenditure shown in the budget estimates. This excess therefore goes to swell the closing balance of the current year and the opening balance of next year.

3. The receipts for the current year were estimated in the budget at Rs. 5,04,43,000. The revenues have, however, proved much better than our estimate and the revised figure is now placed at Rs. 5,17,09,000. The difference Rs. 12,66,000 is partly due to special grants of Rs. 2,00,000 for University Education and of Rs. 75,000 for the improvement of the Port of Chittagong which have been made by the Government of India and against which corresponding amounts have been added on the expenditure side, and is partly the net result of improvements under some heads and of decreases under others. The improvements aggregated Rs. 12,70,000 and were chiefly under the following heads —Jails (Rs. 1,50,000); Pilotage Receipts (Rs. 90,000); Stamps (Rs. 3,00,000) chiefly from court-fee stamps; Excise (Rs. 87,000) mainly due to better settlements; Provincial Rates (Rs. 1,95,000) due to revision of assessments and better collection; Irrigation Major Works (Rs. 1,23,000); Irrigation Minor Works (Rs. 1,59,000); and Civil Works in charge of the Public Works Department (Rs. 1,57,000). On the other hand the decreases amounted to Rs. 2,79,000 and were principally under Adjustments between Imperial and Provincial (Rs. 1,54,000) owing mainly to the transfer of the Stamps and Stationery Office to Imperial; under Assessed Taxes (Rs. 37,000); and under Interest (Rs. 53,000) owing to smaller loans having been taken by the local bodies than were provided for in the budget.

4. On the expenditure side the revised estimate shows a net decrease of Rs. 2,21,000. There have been savings amounting to Rs. 22,55,000 which have, however, for the most part, been transferred to other heads and expended; although in some cases the money provided was carried forward so that the works might be completed next year.

5. The savings referred to were largely due to the failure to obtain sanction before the close of the year to schemes for the improvement of the salaries of the ministerial officers, for an increase in the number of Deputy Collectors, and the reorganisation of the Subordinate Executive Service, and for educational reforms. There have also been reductions in consequence of the transfer of

the Stamps and Stationery Office with effect from the 1st July 1904; also under Government Presses and stationery supplied from central stores; under Irrigation Major Works; and under Contributions to Local. The large decrease shown under Civil Works in charge of Civil Officers is nominal, and is due to the transfer of the lump provision for Police and other buildings to the Public Works Department in order that the buildings might be constructed.

6 On the other hand there have been increases under General Administration, Police and Miscellaneous. The increase under the first head is due (1) to the pay and leave allowances of the Chief Commissioner of the Central Provinces from 1st March to 17th June 1904 having been drawn in Calcutta. (2) to additional grants for the renewal and maintenance of furniture in Belvedere and The Shrubbery, and 3) to the deputation of Mr. Savage on special duty in connection with Police chaukidari work. The greater part of the additional expenditure under Police is on account of petty construction and repairs and furniture of Police buildings, and under Miscellaneous the enhancement is chiefly owing to grants to the District Charitable Society, and to other public institutions such as the Young Women's Christian Association and the Calcutta Orphanage for Hindus. The increase under Irrigation Minor Works and Navigation is due to additional grants for (*a*) irrigation of sugarcane by pumping at Otter; (*b*) the clearing of silt from the khas tahsil khals in the Contai subdivision of the district of Midnapore; (*c*) the resectioning of the Alaipore khal; (*d*) Embankment repairs; (*e*) the construction of a steam-launch for the South-Western Circle; and (*f*) the contribution of Rs. 1,25,000 in aid of the cost of the Magrahat Drainage Scheme in the 24-Parganas. The increase under Civil Works in charge of the Public Works Department (Rs. 9,69,000) has been met principally by transfers from Civil Works in charge of Civil Officers and from Education.

7. The closing balance of the current year was estimated in March last at Rs. 1,05,45,000. To this must now be added Rs. 4,54,000 the excess of the opening balance over the estimate; Rs. 12,66,000 by which the receipts of the current year have improved; and Rs. 2,21,000 the net decrease of expenditure. In the revised estimate, therefore, the closing balance of the current year is placed at Rs. 1,24,86,000.

(3) BUDGET ESTIMATE FOR 1905-1906.

8. The opening balance of 1905-1906 corresponds with the closing balance of the current year and is therefore placed at Rs. 1,24,86,000.

9. The budget estimate for next year as passed provides for receipts aggregating Rs. 5,64,33,000. The amount assigned to the Local Government in the financial settlement was Rs. 4,98,87,000 and owing to ordinary expansion it is estimated that the revenues made over will yield next year Rs. 5,23,37,000. To this must be added the special assignment of Rs. 34,50,000 sanctioned by the Government of India, viz., for Police reorganization (12 lakhs), Primary Education (10 lakhs), and Grants to District Boards (12½ lakhs). The addition of these grants brings the total of the recurring or permanent revenue up to Rs. 5,57,87,000. There are also non-recurring receipts consisting of a special grant of Rs. 4,31,000 by the Government of India for the improvement of the Port of Chittagong, a contribution of two lakhs from the Hospital Port Dues Fund to the Presidency General Hospital and Rs. 15,000, the sale-proceeds of the Pilot-vessel *Sarsuti*. The addition of these sums brings the total receipts of the year up to the amount already stated, namely Rs. 5,64,33,000.

10. It is proposed to spend the whole of these receipts, and also to reduce the opening balance from Rs. 1,24,86,000 to Rs. 82,49,000 or by Rs. 42,37,000. The ordinary Provincial minimum closing balance is twenty lakhs, but in addition to this amount the Government of Bengal has agreed to keep the special grant of fifty lakhs for the improvement of Calcutta untouched, which brings the amount to be carried forward up to seventy lakhs. There was also a lump grant of fifty lakhs made to the Local Government in connection with the Provincial settlement the expenditure of which was to be spread over several years. Seventeen lakhs of it have been spent during the current year, and it is proposed to spend nearly 20½ lakhs next year and to carry forward

Rs. 12,49,000. The total to be carried forward as closing balance at the end of next year will therefore be Rs. 70,00,000 *plus* Rs. 12,49,000, or Rs. 82,49,000.

11. The total estimated expenditure of next year is therefore Rs. 5,64,33,000 plus Rs. 42,37,000, or Rs. 6,06,70,000, and the estimated closing balance is Rs. 82,49,000.

12. The total expenditure of next year, which amounts as already explained to Rs. 6,06,70,000, is made up of recurring or permanent expenditure amounting to Rs. 5,52,85,000 and of non-recurring expenditure amounting in round numbers to Rs. 53,85,000. Details of these amounts are given in the next two paragraphs.

13. The scale of permanent expenditure allowed to the Local Government in the financial settlement was Rs. 4,98,87,000. In the budget now passed this amount has been increased by Rs. 53,98,000, of which a statement is given below. It may be explained that the normal increase of departmental expenditure in the last seven years has been Rs. 5,30,000, and that the ordinary assignment to the Education Department has been increased by four lakhs, the details of which are shown separately in the statement:—

	Rs.	Rs.
Normal growth of expenditure under Superannuation, Police, General Administration and other departments during the years 1904-1905 and 1905-1906 ...	.....	9,22,000
Increase of pay of Indian Medical Service officers ..	...	97,000
Increase in the number of Deputy Magistrates and Deputy Collectors and reorganization of the Subordinate Executive Service	.....	2,85,000
Provision for pay of additional muharrirs and peons for the Additional Deputy Magistrates	.....	75,000
Increased grant for Record-room establishment ...	... ..	9,000
Pay and establishment of the Registrar of Co-operative Credit Societies	.....	25,000
Pay and establishment of Deputy Director of Land Records and Agriculture	.. ...	15,000
Increase of Excise establishment in the districts of the Orissa Division and in Midnapore	.....	9,000
Reorganization of the Registration Department ...	... .	28,000
Additional Judge, High Court	.....	48,000
Shorthand writers in High Court	... .	13,000
Commercial Class, Presidency College	29,000	
Ditto, Girls' School, Kurseong	6,000	
Increased provision—		
Rent of boarding-houses for students in Calcutta ...	67,000	
For opening B and C Class schools	10,000	
For stipends to pupil-teachers	9,000	
For training institutes for primary school-teachers ...	1,50,000	
Zanana education by central gathering	5,000	
Training institutions for girls	15,000	
Female teachers' house-to-house visitation ...	6,000	
Training of gymnastic masters	4,000	
Weaving Department and Agricultural training in Reformatory Schools	15,000	
Starting training colleges at Hooghly and Dacca ...	25,000	
For additional scholarships	15,000	
Increased provision for grants-in-aid	15,000	
Agricultual class in Civil Engineering College ...	6,000	
Mining course	9,000	
Other minor educational improvements	14,000	
	———	4,00,000
Agricultural farms	....	16,000
Provincial Agricultural Association	.....	6,000
		19,48,000
Additional provision corresponding to special assignments made by the Government of India for Police, Education and grants to District Boards	34,50,000	34,50,000
Total ...	.....	53,98,000

14. The sum of Rs. 53,85,000 devoted to non-recurring expenditure is made up of the following items which are in addition to the provision for contributions from Provincial to Local, etc., contained in the scale of expenditure fixed in the financial settlement:—

	Rs.
Sunderbans reclamation	1,50,000
Steam-launch for the Commissioner of the Presidency Division	49,000
Ditto for Dacca Commissioner	41,500
Ditto for Superintendent River Police	48,000
Delivery charges of Steamer *Fraser* ...	45,000
Raising the Dacca Survey School to the status of Bihar School of Engineering	48,000
Enlargement of Cinchona Factory ...	40,000
Indigo Experiment	50,000
Revision of gazetteers	47,000
A third floor of the Hostel of Veterinary School ...	60,000
A new Hostel for ditto	
Boundary and other walls ditto	
Grant for Special Commission of Enquiry (grant 44,000—5,000 usually allowed)	39,000
Irrigation Minor Works—	
Special grant for canal between Dhapa and Bamunghata ...	2,48,000
Ditto for Alaipur khal	
Ditto for raising the Hooghly left embankment ...	
Ditto for constructing sheds on the new cut canal ...	
Ditto for Madaripur Bhil Route	
Contribution for Magrahat Drainage	3,75,000
Civil Works in charge of Public Works Department—	
High Court extensions	1,00,000
Presidency Jail	2,40,000
Surgical ward, Medical College	
Dacca College	2,27,500
Reconstruction of Campbell Hospital ...	51,000
Dowhill Girls' School	39,000
Medical College furniture	36,000
Paving of floor of Medical College Hospital	48,800
Installation of electric lights and fans in Writers' Buildings	23,000
Berhampore and other Jail buildings	1,50,000
Central block, Campbell Hospital	50,000
Removal of Berhampore Lunatic Asylum	50,000
Paying patients' block, General Hospital	2,00,000
Housing of officials, Calcutta	1,00,000
Land for Bethune College	37,000
Land for Nurses' quarters, Medical College	1,32,000
Buildings ditto ditto	25,000
Lecture-room and Museum, Cuttack Medical School ...	18,600
Improvements in Temple Medical School	33,000
Shumbhu Nath Pandit's Hospital	20,300
High Level Tista Valley Road	36,000
Civil Works in charge of Civil Officers—	
Nadia Municipality for repairs to embankments ...	6,000
Calcutta ditto for incinerator	34,862
Monghyr ditto for water-supply	40,000
Barisal ditto for ditto	25,000
Do. ditto for hospital ...	20,000
Berhampore ditto for drainage	20,000
Riparian Municipalities for water-supply	50,000
Bhagalpur Municipality, water-works	3,60,000
Rangpur Ditto for drainage	
Rampur-Boalia Ditto for water-works	
Other Municipalities for special works	
Police and Jail buildings	4,02,000
Model College at Ranchi	1,00,000
Improvements in the Port of Chittagong	4,31,000
Transfer of Jail buildings and officers' houses in Howrah and officers' quarters in Burdwan	9,00,000
Improvements in Howrah General Hospital ...	33,000
Initial expenditure of Divisional Agricultural Farms ...	12,000
Other special minor works and grants	1,13,073
Total ...	53,84,635

PART II.—Detailed remarks on the Budget for 1905-1906.

RECEIPTS.

15. *Land Revenue.*—The actual gross revenue of last year was Rs. 4,10,03,080. The revised estimate for the current year was originally placed at Rs. 4,12,00,000, but was reduced when the damage done to the crops by frost brought down the collections in February. The budget estimate for the current year was Rs. 4,11,50,000. The estimate for next year has been fixed at Rs. 4,19,03,000 and provides for an enhancement of Rs. 3,65,000 under recoveries on account of survey and settlement charges, for an increase of Rs. 82,000 from settlements, for an improvement in the collections from Government estates, and for the recovery of arrears carried over from the current year. The details of the recoveries of the survey and settlement charges are given in Appendix A.

16. The adjustments between Imperial and Provincial are made under the head of Land Revenue, and will probably result in a net transfer of Rs. 86,55,000 to Provincial. The details will be found in Appendix A.

17. *Stamps.*—The total revenue from Stamps for the current year was estimated at Rs. 2,02,00,000. Last year's actuals were Rs. 1,98,35,514, and the average annual increase during the last five years has been Rs. 3,89,000. During the first eleven months of the current year, however, the receipts exceeded those of the corresponding period of last year by no less than Rs. 8,91,000, and in view of these figures, the revised estimate for the current year has been passed for Rs. 2,08,00,000 and the estimate for next year has been placed at Rs. 2,14,00,000. The Local Government gets one half of these amounts, or Rs. 1,04,00,000 and Rs. 1,07,00,000.

18. *Excise.*—The budget estimate of the current year's total revenue was Rs. 1,65,00,000. The actuals of last year exceeded the revised estimate of last year by Rs. 1,96,000 and amounted to Rs. 1,62,95,944. The average annual increase under this head during the last five years has been Rs. 5,83,000, and the figures of the first ten months of the current year show an increase of Rs. 4,51,000 over the actuals of the corresponding period of last year. The revised estimate for the current year has therefore been passed for Rs. 1,67,00,000 and the estimate for next year has been placed at Rs 1,73,50,000. The Provincial share of next year's receipts ($\frac{7}{10}$th) amounts to Rs. 75,91,000.

19. *Provincial Rates.*—The actual collections of the Public Works cess in 1903-1904 amounted to Rs. 48,84,713, and the estimate for the current year was Rs. 48,74,000. The receipts in the first ten months of the current year, however, show an increase of Rs. 1,76,000 over those of the corresponding period of last year, and the revised estimate for the current year has accordingly been placed at Rs. 50,60,000, and the estimate for next year at Rs. 51,50,000. An increase is anticipated on the completion of the revaluation work in certain districts. Under "General Rates for the management of private estates" the estimate of receipts is Rs. 1,84,000, and this added to the estimate for receipts of the Public Works cess makes up the sum of Rs. 53,34,000 which is the total estimate for the year.

20. *Assessed Taxes.*—The current year's receipts from income-tax were estimated at Rs. 51,50,000. The actual collections of last year amounted to Rs. 49,45,815 and those of the twelve months ending with 31st January 1905 were Rs. 50,34,000. The revised estimate for the current year has accordingly been placed at Rs. 50,00,000. To this amount a sum of Rs. 1,00,000 has been added as the normal increase of revenue, the average annual increase during the four years ending with the year 1902-1903 from the classes who are still liable to assessment having been Rs. 1,73,000. The estimate for 1905-1906 has accordingly been passed for Rs. 51,00,000. The Provincial share (one-fourth) is Rs. 12,75,000.

21. *Forests.*—The total receipts under this head for 1905-1906 are estimated at Rs. 12,00,000, against Rs. 11,50,000 the budget estimate for the current year, and Rs. 10,65,523 the actuals of last year. The revised estimate for the current year has been put at Rs. 11,80,000. The increase in the estimate for next year is due to anticipated larger sales of timber in the Singhbhum, and Sundarbans Divisions. The Local Government gets one-fourth of the receipts.

22. *Registration.*—The budget estimate under this head for the current year was Rs. 17,00,000. The actuals of last year amounted to Rs. 16,66,453. The average annual increase under this head during the last five years has been Rs. 53,000. The collections in the first ten months of the current year show an increase of Rs. 26,000 over those of the corresponding period of last year, and both the revised estimate for the current year and the estimate for next year have been passed for Rs. 17,00,000. These receipts are entirely Provincial.

23. *Interest.*—Details of the receipts under this head are given in Appendix A.

24. *Law and Justice—Courts of Law.*—The actuals of last year amounted to Rs. 8,08,224, and the revised estimate for the current year has been taken at Rs. 8,07,000 with reference to the actuals of the first ten months of the year. During the current year there was a falling off under "General fees, fines and forfeitures" which is not expected to continue, and next year's receipts have been estimated at Rs. 8,14,000.

25. *Jails.*—The estimate under this head is Rs. 14,00,000, against Rs. 13,50,000 the revised estimate for the current year and Rs. 14,15,485 the actuals of last year. The budget estimate for the current year was Rs. 12,00,000. The increase in the budget is mainly due to anticipated demands from the Commissariat Department.

26. *Police.*—The estimate under this head amounts to Rs. 2,00,000 against Rs. 2,05,000, the budget estimate for the current year. The actuals of last year were Rs. 1,84,038. During the current year there were smaller recoveries on account of punitive police and police supplied to Railway Companies and the revised estimate has been placed at Rs. 1,80,000.

27. *Marine.*—The budget estimate for the current year was Rs. 12,80,000. This has been raised to Rs. 13,70,000 in the revised estimate with reference to the actuals of the first ten months of the current year which show an increase under Pilotage receipts in Calcutta. These receipts are of a fluctuating character, depending on the tonnage of vessels arriving and departing from the port, and the estimate for next year has been passed for Rs. 13,25,000.

28. *Education.*—The estimate under this head is Rs. 7,70,000, against Rs. 7,30,000 and Rs. 7,05,000, the sanctioned and the revised estimates, respectively, for the current year, and Rs. 7,08,701, the actuals of last year. The increase is mainly due to anticipated realizations on account of rent of boarding-houses for students in Calcutta. A sum of Rs. 67,200 has been provided for on the expenditure side to meet the charge for rent of boarding-houses which Government will take up and make over to private colleges to be used as hostels.

29. *Medical.*—The estimate under this head is Rs. 4,37,000, against Rs. 2,15,000 and Rs. 2,37,000, the sanctioned and the revised estimates, respectively, for the current year, and Rs. 2,30,237, the actuals of last year. The estimate includes a contribution of 2 lakhs from the Calcutta Hospital Port Dues Fund to the Presidency General Hospital. A corresponding amount has been provided for in the estimate of Civil Works in charge of the Public Works Department for the construction of a paying patients' block in the hospital.

30. *Scientific and other Minor Departments.*—The total receipts for next year are estimated at Rs. 2,57,000 against Rs. 2,67,000 and Rs. 2,57,000, the sanctioned and revised estimates, respectively, for the current year. The estimate follows the revised estimate for the current year. The decrease is under Cinchona Plantation receipts owing to smaller sales of cinchona alkaloids.

31. *Miscellaneous.*—The receipts under this head fluctuate largely from year to year, and are difficult to forecast with certainty. The estimate for next year has been based on the actuals of the last three years and has been placed at Rs. 10,09,000, against Rs. 9,13,000 and Rs. 9,30,000, the budget and revised estimates, respectively, for the current year, and Rs. 11,33,785, the actuals of last year. The increase last year was chiefly under unclaimed deposits.

32. *Irrigation Major Works (District Receipts).*—The budget estimate for the current year was Rs. 18,77,000, and the revised estimate is taken at Rs. 20,00,000 owing to an anticipated improvement in the receipts from the Sone Canals. The actual receipts last year amounted to Rs. 20,20,889, and

the total revised estimate for the current year has been reproduced in the budget for next year.

33. *Minor Works and Navigation in charge of the Public Works Department.*—The estimate of receipts for next year is Rs. 6,50,000, against Rs. 5,40,000 and Rs. 6,99,000, the sanctioned and revised estimates, respectively, for the current year, and Rs. 5,75,240, the actuals of last year. An increase is expected from both the Calcutta and the Eastern Canals, partly on account of a general increase in the traffic and partly owing to the changes recently introduced in the administration of the canals.

34. *Civil Works in charge of the Public Works Department.*—The receipts for next year are estimated at Rs. 2,80,000, against Rs. 2,00,000 and Rs. 3,57,000, the sanctioned and the revised estimates, respectively, for the current year. The receipts under certain minor heads, including "profits of the Darjeeling-Himalayan Railway" have been unusually large during the current year.

EXPENDITURE.

35. *Refunds and Drawbacks.*—The total Provincial expenditure of next year is estimated at Rs. 1,35,000 against Rs. 1,26,000, the sanctioned estimate for the current year. The estimate is based on the average actuals of the last three years, exclusive of special payments.

36. *Land Revenue.*—The total Provincial expenditure for next year is estimated at Rs. 47,22,000 against Rs. 44,00,000, the budget estimate for the current year, as shown below:—

	1904-1905		1905-1906.
	Budget	Revised	Budget
	Rs.	Rs.	Rs.
(1) Charges of District Administration ...	34,53,000	31,61,000	35,95,000
(2) Charges on account of Land Revenue collections	1,000	1,000	1,400
(3) Management of Government estates ...	5,55,000	6,40,000	7,41,000
(4) Survey and Settlement	3,00,000	3,41,000	2,91,000
(5) Land Records and Agriculture	91,000	1,02,000	93,600
Total ...	44,00,000	42,45,000	47,22,000

The increase under (1) is due to provision having been made for—(*a*) the full sanctioned strength of officers and establishment, (*b*) an increase in the number of Deputy Magistrates and Deputy Collectors and the improvement of the status of Sub-Deputy Collectors, (*c*) the pay of muharrirs and peons of additional Deputy Magistrates, (*d*) a new steam-launch for the Commissioner of the Presidency Division, (*e*) a larger grant for record-room establishment, and (*f*) increased charges for the management of private estates owing to the assumption of Bhowal and other estates. A provision of Rs. 1,50,000 has been made under (3) for the Sundarbans reclamation work.

37. *Stamps.*—The estimate for next year amounts to Rs. 7,00,000 against Rs. 7,80,000, the budget estimate for the current year. The decrease is due to the transfer to the control of the Government of India of the office of the Controller of Stamps, the cost of which has been debited to Imperial from the 1st July 1904. The Provincial share of the total expenditure (one-half) is Rs. 3,50,000.

38. *Excise.*—The estimate for next year is Rs. 8,63,000 against Rs. 8,20,000, the budget grant for the current year. The increase is due to (*a*) increase of pay of the Personal Assistant of the Excise Commissioner owing to grade promotion, (*b*) a lump provision of Rs. 20,000 for strengthening the establishment employed in the districts of the Orissa Division and Midnapore in connection with the introduction of the contract distillery system, and (*c*) larger grants for special contingencies and rewards with reference to local requirements. The Provincial share (seven-sixteenths) amounts to Rs. 3,78,000.

39. *Provincial Rates.*—The estimate for next year is Rs. 92,000 against Rs. 1,04,000, the budget estimate for 1904-1905. The decrease is chiefly under

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Revaluation Charges and partly also in the charges for collection which have been budgetted for according to local requirements.

40. *Forests.*—The total expenditure for next year is estimated at Rs. 7,64,000 against Rs. 7,61,000, the budget estimate for the current year. The increase is for the repairs of steamers and boats and for the purchase of marine stores in the Sundarbans Division. The Provincial share (one-fourth) is Rs. 1,91,000.

41. *Registration.*—The estimate for next year is Rs. 9,96,000 against Rs. 9,70,000, the budget estimate for the current year. The increase is chiefly due to a lump provision of Rs. 20,000 for the reorganisation of the Department, although partly also to an increase in the pay of the Personal Assistant of the Inspector-General of Registration owing to grade promotion. The expenditure is entirely Provincial.

42. *General Administration.*—The total expenditure in the current year was originally estimated at Rs. 18,56,000, but in the revised estimate this has been raised to Rs. 19,80,000. The increase has been explained in paragraph 6 above. The estimate for next year is Rs. 19,02,000.

43. *Law and Justice—Courts of Law.*—The budget estimate for the current year was Rs. 1,00,00,000, but in the revised estimate this has been reduced to Rs. 98,50,000 for the reasons explained in paragraph 5 above. The estimate for next year has been passed at Rs. 1,02,00,000 which includes provision for (*a*) an Additional Judge in the High Court for three months for inspection work; (*b*) a larger expenditure under Fees to Pleaders with reference to actuals; (*c*) larger grants under salaries and establishment of Munsifs, diet and travelling expenses to witnesses and allowances to jurors and assessors, and (*d*) a moiety of the expenditure due to the increase in the number of Deputy Magistrates and the improvement in the status of Sub-Deputy Magistrates, the other moiety having been included under Land Revenue.

44. *Jails.*—The estimate for the current year was Rs. 26,80,000 against Rs. 27,33,193, the actuals of last year. The actuals of the first ten months of the year however show a decrease of only Rs. 3,000 as compared with the figures for last year, and the revised estimate for the year has accordingly been raised to Rs. 27,30,000. The increase is chiefly under Jail Manufactures and is due to larger expenditure on the purchase of raw materials. The estimate for next year is Rs. 28,20,000.

45. *Police.*—The following table compares the estimates under this head:—

	1903-1904. Actuals.	1904-1905. Budget.	1904-1905. Revised.	1905-1906 Estimate.
1	2	3	4	5
	Rs.	Rs.	Rs.	Rs.
(1) Presidency Police ...	8,56,526	9,17,000	8,59,000	8,70,000
(2) Municipal „ ...	50,632	49,000	52,000	52,000
(3) Superintendence ...	1,74,834	1,66,000	1,71,000	1,63,000
(4) District Executive Force ...	50,54,564	49,93,000	52,79,000	51,47,000
(5) Village Police ...	47,176	52,000	52,000	52,000
(6) Special „ ...	1,71,349	1,66,000	1,47,000	1,68,000
(7) Railway „ ...	1,86,939	1,96,000	1,83,000	2,07,000
(8) Cattle-pounds ...	783	1,000	1,000	1,000
(9) Refunds ...	28,832	10,000	16,000	30,000
(10) Police reorganisation ...	.....	.....	.....	12,00,000
Total ...	65,71,635	65,50,000	67,60,000	78,90,000

46. The actuals of the first ten months of the current year indicate that there will be a large excess under the head "District Executive Force." This is mainly under the sub-head "Supplies and Services," and is due to additional grants for petty construction and repairs and the purchase of furniture and law

books; there will also be small increases under "Superintendence" and "Refunds." The revised estimate for the year has been passed at Rs. 67,60,000 against Rs. 65,50,000, the budget grant for the year. The estimate for next year is Rs. 78,90,000 and includes a lump provision of 12 lakhs for the reorganisation of the Police Department. Further details are shown in Appendix B.

47. *Marine.*—The estimate for next year is Rs. 11,23,000 against Rs. 17,40,000 and Rs. 18,00,000, the budget and the revised estimates respectively for the current year. The estimate includes Rs. 45,000 for the payment of delivery charges of the new steamer *Fraser*. The sum of Rs. 6,91,000 was provided in the revised estimate for the current year to meet the cost of the vessel. Provision has been made for the salaries and allowances of officers, etc., for the new vessel.

48. *Education.*—The total Provincial expenditure in the current year was originally estimated at Rs. 35,19,000; but in the revised estimate this has been raised to Rs. 35,62,000. The variations among several heads are shown in Appendix B. The estimate for next year is Rs. 47,52,000, to which must be added Rs. 4,55,656 which is transferred to District Boards through the head of Contributions from Provincial to Local, and Rs. 2,00,000 which has been added to the ordinary grant of the Public Works Department for the construction of the Dacca College building. The total expenditure for Education will therefore be Rs. 54,07,656. The following table shows the growth of expenditure under this head both in the Provincial and District Board accounts from the year 1901-02:—

	Account.			Revised estimate, 1904-1905.	Budget estimate, 1905-1906.
	1901-1902.	1902-1903.	1903-1904.		
Provincial.	Rs.	Rs.	Rs.	Rs.	Rs.
Direction	78,000	68,000	90,000	90,000	89,000
Inspection	3,53,000	3,41,000	3,42,000	3,38,000	3,42,000
Government Colleges, General	5,34,000	5,56,000	5,49,000	5,90,000	6,59,000
Ditto do., Professional ...	2,13,000	2,28,000	2,71,000	2,12,000	2,37,000
Government Schools, General	6,27,000	6,47,000	7,20,000	7,00,000	7,21,000
Ditto do., Special	2,50,000	2,61,000	3,42,000	3,32,000	5,13,000
Grants-in-aid	6,23,000	7,24,000	8,05,000	8,18,000	8,20,000
Scholarships	1,97,000	1,99,000	1,95,000	1,91,000	2,10,000
Lump provision for Primary Education	.....	.....	.....	.....	10,00,000
Lump provision for University Education ...	...	.....	.....	2,00,000	...
Miscellaneous	55,000	76,000	1,21,000	90,000	1,56,000
Refunds	2,000	6,000	7,000	1,000	5,000
Total Provincial ...	29,41,000	31,12,000	34,42,000	35,62,000	47,52,000
Local.					
Inspection	3,04,000	3,11,000	3,66,000	3,66,000	3,66,000
Schools	1,22,000	1,24,000	1,30,000	1,34,000	1,34,000
Grants-in-aid	8,55,000	12,30,000	12,29,000	12,50,000	12,60,000
Scholarships	30,000	31,000	33,000	37,000	37,000
Miscellaneous	21,000	52,000	61,000	51,000	51,000
Refunds	.....	.....	.....	.....	.....
Total Local ...	13,32,000	17,48,000	18,19,000	18,38,000	18,48,000
Grand Total ...	42,73,000	48,60,000	52,61,000	54,00,000	66,00,000

49. The principal items for which special provision has been made in the estimate are given in paragraph 13 above.

50. *Medical.*—The budget grant for next year is Rs. 22,75,000 against Rs. 23,00,000, the budget estimate for the current year, and Rs. 21,48,271, the actuals of last year. The budget includes a provision of Rs. 97,000 for increasing the pay of Indian Medical Service Officers against Rs. 1,20,000 provided for the current year. The estimate also provides Rs. 70,000 for expenses during the prevalence of plague, including a special grant of Rs. 50,000 to the Divisional Commissioners for special plague measures. A provision of Rs. 13,900 has been made for grants to leper asylums out of the special assignment of five lakhs given in last year from the Imperial surplus for distribution to certain public institutions.

51. *Scientific and other Minor Departments.*—The estimate for next year is Rs. 9,40,000 against Rs. 6,80.000, the budget estimate for the current year. The budget total includes the following amounts:—(*a*) Rs. 60,000 for the development of the Veterinary Institution, (*b*) Rs. 5,000 for an experimental farm at Cuttack, (*c*) Rs. 5,000 for cotton cultivation, (*d*) Rs. 50,000 for experiments in connection with the cultivation of indigo, (*e*) Rs. 6,000 for Bengal Provincial Agricultural Association, (*f*) Rs. 8,000 for bull-rearing farms, (*g*) Rs. 15,000 for the pay and establishment of the Deputy Director of Agriculture, (*h*) Rs. 25,000 for salary and allowances and establishment of the Registrar, Co-operative Credit Societies, and (*i*) Rs. 40,000 for the enlargement of the Cinchona Factory.

52. *Superannuation.*—The expenditure under this head shows a progressive enhancement owing to the increase in the claims to pensions. The estimate for next year is Rs. 28,15,000 against Rs. 26,57,000 and Rs. 27,04,000, the sanctioned and the revised estimates respectively for the current year and Rs. 25,84,376, the actuals of last year.

53. *Stationery and Printing.*—The estimate of next year is Rs. 12,22,000 against Rs. 13,83,000, the sanctioned estimate for the current year. The decrease is due to the imperialization of the Stationery Department of the Stationery Office at the Presidency and to smaller provision having been made for the purchase and supply of type-writers from the Central Stores.

54. *Miscellaneous.*—The revised estimate for the current year is Rs. 3,44,000 against Rs. 2,72,000, the original budget estimate for the year. The increase is due to the grants to the District Charitable Society, to the Young Women's Christian Association and to the Calcutta Orphanage for Hindus and also to larger expenditure under Supplies and Services and Contingencies of circuit-houses. The estimate for next year is Rs. 3,14,000 and includes Rs. 25,000 for charges in connection with the deputation of Mr. Savage on village chaukidari work, and Rs. 4,000 for the examination and arrangement of Government records.

55. *Irrigation—Major Works.*—Under the catagory of Major Works are included the Orissa Canals, the Midnapore Canal, the Hijili Tidal Canal, and the Sone Canals, the outlay for the construction and extension of which has for the most part been advanced from the Imperial Treasury. The Provincial Government, which gets the receipts from the works, is responsible for their maintenance and for the payment of interest on the capital expenditure. The total grant for working expenses for next year is Rs. 11,04,090, against Rs. 11,74,000, the budget grant for the current year, and Rs. 10,17,041, the actuals of last year.

56. *Irrigation—Minor Works in charge of the Public Works Department.*—The estimate for next year is Rs. 20,04,000, against Rs. 13,81,000, the budget estimate for the current year, and Rs. 17,62,188, the actuals of last year. The grant for expenditure on Capital Account has been raised from Rs. 1,72,000 in the current year to Rs. 2,87,000 in next year, and provides Rs. 1,44,000 for the canal between Dhappa and Bamunghatta, Rs. 50,000 for the Madaripur Bhil route, and Rs. 41,000 for the Dudhai Canal. The estimate also includes Rs. 11,53,000 for agricultural and drainage works against Rs. 6,91,000, the sanctioned grant for the current year. The increase is mainly due to the provision of Rs. 3,75,000 as Government contribution in aid of the Magrahat Drainage Scheme.

57. *Civil Works.*—The estimate of expenditure in charge of the Public Works Department for next year has been placed at Rs. 56,48,000, which is distributed thus :—

	Rs.
Original Works	31,25,000
Repairs	15,08,000
Establishment	9,77,890
Tools and Plant	37,110
Total ...	56,48,000

The allotment for original works includes the following grants :—

	Rs.
Double Munsifi at Basirhat	21,100
Treble Munsifi at Narail	31,400
Residences of Munsifs	50,000
Ditto for Subdivisional Officers	34,800
Fourth Block in Writers' Buildings	45,000
Installation of electric light and fans in Writers' Buildings ...	23,000
Extension of High Court buildings	1,00,000
Ganja golah, Naogong	23,600
New Presidency Jail	2,00,000
Boalia Jail	20,000
Berhampore and other Jail buildings	1,50,000
New Dacca College	2,27,500
Ravenshaw College, Cuttack	18,600
Dow Hill Girls' School	39,000
Acquisition of land for extending the Bethune College compound	37,000
Surgical ward, Medical College	1,00,000
Nurses' quarters, ditto	75,000
Ditto, acquisition of land	1,32,000
Furniture and fittings for the new Pathological block, Medical College	36,000
Constructing Pathological block	12,000
Campbell Hospital buildings, reconstruction	51,000
Ditto, remodelling the central block ...	30,000
Paying-patients' block in the Presidency General Hospital ...	2,00,000
Paving the Medical College Hospital with marble ...	48,800
Nurses' quarters, Shumboo Nath Pandit's Hospital ...	20,300
Removal of Central Lunatic Asylum from Berhampore ...	50,000
Lecture-room and Museum, Medical School, Cuttack ...	24,200
Improvements in Temple Medical School, Bankipore ...	33,000
Housing of officials in Calcutta	1,00,000
Residences for Government officials in mufassal ...	2,00,000
New High Level Tista Valley Road	2,00,000
Total ...	23,33,300

58. *Civil Works in charge of the Civil Department.*—The estimate for next year is Rs. 25,82,000 and includes the following items :—Rs. 6,50,000 for grants to Municipalities and Excluded Local Funds which are adjusted under this head ; Rs. 4,02,000 for the construction of Police and Jail buildings in addition to the provision in the Public Works Department budget ; Rs. 1,00,000 for a model college at Ranchi ; Rs. 9,00,000 for the transfer of Jail and officers' houses in Howrah and officers' quarters in Burdwan ; Rs. 49,000 for improvements in the Howrah General Hospital and the Medical College Hospital ; and Rs. 4,31,000 for revetting the river bank in the Port of Chittagong and for the purchase of a dredger for use in that port.

59. *Contributions from Provincial to Local.*—The original estimate for the current year, amounting to Rs. 15,29,000, has been reduced to Rs. 13,87,000 in the revised estimate, as the provision for unforeseen grants was not utilised to the extent anticipated in March 1904. The estimate for next year is Rs. 33,13,000 and includes a provision of 12½ lakhs, being the assignment sanctioned by the Government of India from the Imperial surplus for grants to District Boards for expenditure on Civil Works.

BENGAL PROVINCIAL REVENUE.

(The figures are in thousands of rupees, except for Actuals.)

HEADS	Actuals, 1903-1904.	1904-1905. Budget.	1904-1905. Revised.	1905-1906. Estimate.
1	2	3	4	5
	Rs.	Rs	Rs.	Rs.
Opening balance	55,29,422	1,37,99	1,42,53	1,24,86
Principal Heads of Revenue—				
I.—Land Revenue { Proper ...	1,07,16,516	1,06,53	1,06,40	1,07,76
Adjustments ...	+1,03,26,401	+49,06	+50,27	+86,35
IV.—Stamps	1,48,76,636	1,01,00	1,04,00	1,07,00
V.—Excise	81,47,972	72,19	73,06	75,91
VI.—Provincial Rates	50,40,440	50,25	52,20	53,34
VII.—Customs	2,58,337	..	.....	.....
VIII —Assessed Taxes	24,72,907	12,87	12,50	12,75
IX —Forests	5,32,762	2,88	2,95	3,00
X.—Registration	8,33,227	17,00	17,00	17,00
Total ..	5,32,05,198	4,11,78	4,18,38	4,63,11
XII.—Interest	2,25 780	3,66	3,13	3,35
Receipts by Civil Department—				
XVI.—Law and Justice { Courts of Law	8,08,224	7,97	8,07	8,14
Jails ...	14,15,185	12,00	13,50	14,00
XVII.—Police	1,81,038	2,05	1,80	2,00
XVIII.—Marine	13,48,977	12,80	13,70	13,25
XIX.—Education	7,08,701	7,30	7,05	7,70
XX —Medical	2,30,237	2,15	2,37	4,37
XXI.—Scientific and other Minor Departments	2,45,647	2,67	2,57	2,57
Total ...	49,41,309	46,94	49,06	52,03
Miscellaneous—				
XXII.—Receipts in aid of Superannuation	86,868	87	65	73
XXIII.—Stationery and Printing ..	1,45,615	1,41	1,46	1,40
XXV.—Miscellaneous	11,33,785	9,13	9,30	10,09
Total ...	13,66,268	11,41	11,41	12,22
Irrigation—				
XXIX.—Major Works (direct receipts) ...	20,20,889	18,77	20,00	20,00
XXX.—Minor Works and Navigation—				
By Public Works Department...	5,75,240	5,40	6,99	6,50
By Civil Department ...	1,27,828	1,25	1,47	1,28
Total ...	27,23,957	25,42	28,46	27,78
Buildings and Roads—				
XXXII.—Civil Works—				
By Public Works Department..	5,41,933	2,00	3,57	2,80
By Civil Department ...	2,49,736	2,59	2,40	2,41
Total ...	7,91,669	4,59	5,97	5,21
Contributions ...	65,951	63	68	63
Total Revenue ...	6,24,20,132	5,04,43	5,17,09	5,64,33

BENGAL PROVINCIAL EXPENDITURE.

(The figures are in thousands of rupees, except for Actuals.)

Heads.	Actuals, 1903-1904.	1904-1905. Budget.	1904-1905. Revised.	1905-1906. Estimate.
1	2	3	4	5
Direct demand on the revenues—	Rs.	Rs.	Rs.	Rs.
1. Refunds and Drawbacks ...	1,87,833	1,26	1,24	1,35
2. Assignments and Compensations ...	1,65,710	1,70	1,70	1,62
3. Land Revenue	39,50,711	44,00	42,45	47,22
6. Stamps	5,54,999	3,90	3,56	3,50
7. Excise	4,06,779	3,59	3,59	3,78
8. Provincial Rates	89,290	1,04	86	92
9. Customs	9,77,774	.....	.....	.....
10. Assessed Taxes	92,339	41	40	39
11. Forests	3,51,754	1,96	1,71	1,91
12. Registration	4,80,183	9,70	9,65	9,96
Total ...	72,57,372	67,66	65,16	70,65
13. Interest on ordinary debt ...	1,95,719	2,23	1,99	2,22
Post Office, Telegraph and Mint—				
15. Post Office	6,055	.....	.....	.....
Salaries and expenses of the Civil Department—				
18. General Administration ...	19,04,677	18,56	19,80	19,02
19. Law and Justice { Courts of Law ...	96,48,518	1,00,00	98,50	1,02,00
19. Law and Justice { Jails ...	27,33,193	26,80	27,30	28,20
20. Police	65,71,635	65,50	67,60	78,90
21 Marine	10,64,645	17,40	18,00	11,23
22. Education	34,41,832	35,19	35,62	47,52
24. Medical	21,48,271	23,00	22,25	22,75
25. Political	19,314	23	19	22
26 Scientific and other Minor Departments	7,00,871	6,80	7,04	9,40
Total ..	2,82,32,956	2,93,18	2,96,30	3,19,24
Miscellaneous—				
29. Superannuation, &c	25,84,376	26,57	27,04	28,15
30. Stationery and Printing ..	12,42,046	13,83	11,76	12,22
32. Miscellaneous	3,13,648	2,72	3,44	3,14
Total ..	41,70,070	43,12	42,24	43,51
Railway Revenue Account —				
40. Subsidised Company's land .	5,311	3	4	...
Irrigation—				
42. Major Works—				
Working Expenses . .	10,17,041	11,74	10,20	11,04
Interest on Debt	24,52,568	24,52	24,52	24,52
43. Minor Works and Navigation—				
By Public Works Department ..	17,62,188	13,81	18,15	20,04
By Civil Department ...	5,549	5	5	5
Total ...	52,37,346	50,12	52,92	55,65
Buildings and Roads—				
45. Civil Works—				
By Public Works Department...	74,39,073	49,70	59,39	56,48
By Civil Department ...	1,66,189	15,50	2,85	25,82
Total ..	76,05,262	65,20	62,24	82,30
Contributions	19,86,545	15,29	13,87	33,13
Total Expenditure ...	5,46,96,636	5,36,97	5,34,76	6,06,70
Closing balance	1,42,52,918	1,05,45	1,24,86	82,49
Grand Total ...	6,89,49,554	6,42,42	6,59,62	6,89,19
Provincial surplus (+) or deficit (—)	+87,23,496	—39,54	...	...

APPENDIX A.

Bengal Provincial Receipts, in detail, of minor heads.

[The figures in columns 4 and 5 are those accepted by the Government of India.]

The remarks in column 6, except when otherwise specially explained, refer to differences between columns 3 and 5

I.—Land Revenue—

HEADS	1903-1904 Actuals	1904-1905 Sanctioned Estimate	1904-1905 Revised	1905-1906 Budget	REMARKS
1	2	3	4	5	6
	Rs	Rs	Rs	Rs	
Gross Land Revenue	4,10,03,080	4,11,50,000	4,10,00,000	4,19,03,000	The revised estimate is based on the actuals of 12 months ending with February 1905. The decrease compared with the sanctioned estimate is attributable to the damage caused to the crops by frost. The increase in the budget for 1905-1906 is due to expected larger collections on account of demand, and to larger recoveries on account of survey charges.
Deduct 12 per cent. on collections from Government estates (Provincial)	[illegible]	6,47,000	6,80,000	6,82,000	Rs. Bihar— North Bhagalpur 1,50,000 Purnea 2,50,000 Chota Nagpur— Ranchi 85,000 Eastern Bengal— Backergunge 2,90,000 Sonthal Parganas 70,000 Total 8,45,000
Deduct recoveries of Bihar and Backergunge Survey and Settlement charges (Imperial)	2,06,51[illegible]	4,80,000	4,80,000	8,45,000	
Total deduction	[illegible]	11,[illegible],000	11,60,000	15,27,000	
Net amount divisible between Imperial and Provincial	4,01,96,72[illegible]	4,00,23,000	3,98,40,000	4,03,76,000	
Provincial share of above (one-fourth)	1,00,[illegible]	1,00,06,000	99,60,000	1,00,94,000	
Add 12 per cent. on collections from Government estates	[illegible]	6,47,000	6,80,000	6,82,000	
Net	[illegible]	1,06,53,000	1,06,40,000	1,07,76,000	
Add on account of adjustments as shown below	[illegible]	[illegible]	[illegible],27,000	[illegible]	
Total Provincial share	[illegible]	1,5[illegible],000	1,56,67,000	1,94,11,000	

Adjustments—

HEADS	1903-1904 Actuals	1904-1905 Sanctioned Estimate	1904-1905 Revised	1905-1906 Budget	REMARKS
Fixed contribution to Imperial Revenues under the Financial Settlement	11,1[illegible],000	..	....		
Add payable to Imperial—					
For transfer of the South Lushai Administration to Assam	3,75,000	...	..	...	
For transfer of the Economic and Art Section of Indian Museum	19,000	.. ...	...	....	
For transfer of Statistical Department of the Bengal Secretariat to the Office of the Director-General of Statistics	14,010	..	.. ...	...	
Compensation to the Assam Administration on account of the realization in Bengal of income tax from the Assam Bengal Railway	13,000	..	..	.	
Compensation to the Central Provinces Administration on account of the realization in Bengal of income tax from the Bengal-Nagpur Railway	20,242		....	..	
Adjustment of the cost of Mr. N. G. Mukerji's deputation to the Central Provinces to enquire into the tusser silk industry	.		2,000		
Adjustment for Bengal Government contribution towards Raj Kumar College	.	.	2,000	2,000	
Contribution from Provincial in connection with the transfer of the maintenance of the Siliguri-Teesta Bridge Road to the Military Department		...	50,000		
Contribution for the transfer of the Stamp and Stationery Office		.	1,26,000	1,68,000	The revised estimate represents charges for nine months only from 1st July 1904, the date of transfer from Provincial to Imperial.
Total ..	18,[illegible]	...	1,80,000	1,[illegible],000	
Deduct [illegible] from Imperial—					
[illegible] contribution [illegible] Imperial Revenues [illegible] the new Provincial Settlement		49,05,000	4[illegible],000	49,03,000	
[illegible] to start the new Provincial Settlement with	50,00,000	.			
[illegible] on account of the Calcutta Improvement Scheme	50,00,000	.	.		
[illegible] surplus to special works of public utility	[illegible]			.	
[illegible]	[illegible]		.	...	
Special [illegible]	27,400			...	
Ditto [illegible] three-fourths of the sale proceeds [illegible]	[illegible],244				
[illegible] increase of expenditure under [illegible]	10,00,000			....	
[illegible] remission of income-tax on [illegible]	[illegible]	.		.	
[illegible] account of the writing off of [illegible]	87,2[illegible]	..	... ..	. ..	
[illegible] expenditure in connection [illegible] Valley road	1,00,000		..	..	
[illegible]	1,656	3,000	3,000	..	
[illegible] the preservation of ancient manuscripts		...	6,000	6,000	
Contribution for Monuments and Antiquities	..	..	15,000	15,000	
Contribution [illegible] improvement of the Port of Chittagong	..		75,000	4,21,000	
Assignment for [illegible] organization	. .	..	...	12,00,000	
Ditto on [illegible]	...	. .	.	10,00,000	
Ditto [illegible] District Boards	......	. ..	.	12,50,000	
Ditto [illegible] cotton goods	...		7,000	....	
Ditto for University Education	.	..	2,00,000	..	
Total ...	1,21,87,558	49,06,000	52,07,000	88,05,000	
Net sum to be [illegible]	[illegible]	[illegible]	[illegible]		

IV.—Stamps—

HEADS.	1903-1904	1904-1905		1905-1906.	REMARKS.
	Actuals.	Sanctioned estimate.	Revised.	Budget.	
1	2	3	4	5	6
	Rs.	Rs.	Rs.	Rs.	
Sale of general stamps	52,4[illegible],200	[illegible]	53,7[illegible]	[illegible]	The decrease in the revised estimate is due chiefly to smaller receipts from one anna stamps and the [illegible] stamps.
Do. of court-fee stamps	1,42,21,730	1,4[illegible],80,[illegible]	1,49,20,000	[illegible]	The [illegible] in the revised is due to the institution of larger number of suits in the Civil and Revenue Courts.
Do. of plain paper to be used with court-fee stamps	3,09,8[illegible]	[illegible]	3,10,[illegible]	[illegible]	
Duty on impressing documents	50,12[illegible]	[illegible]	1,00,[illegible]	[illegible]	The increase in the revised is due to special receipts in Calcutta on account of [illegible] duty on [illegible] one-anna receipt [illegible] stamps and [illegible] duty on unstamped or insufficiently stamped documents.
Fines and penalties	27,[illegible]	30,000	[illegible]	[illegible]	
Miscellaneous	1[illegible],30	[illegible]	[illegible]	[illegible]	The decrease in the revised is due to no composition duty having been realised during the year. The estimate provides for a [illegible] increase in the composition duty.
Total	[illegible]	[illegible]	[illegible]	2,1[illegible]	The revised estimate is based on [illegible] actuals. The Budget [illegible] normal increase [illegible].
Provincial share	1,18,7[illegible]	[illegible]	1,0[illegible]	[illegible]	

V.—Excise—

HEADS.	1903-1904 Actuals.	1904-1905 Sanctioned estimate.	1904-1905 Revised.	1905-1906 Budget.	REMARKS.
License and distillery fees and duties for the sale of liquors and drugs—					
Foreign liquors	[illegible]	1,0[illegible]	4[illegible]	[illegible]	
Indian made liquors excised at tariff rates	8[illegible]	[illegible]	[illegible]	9,[illegible]	
Country spirits—					
Distillery	1[illegible]				
Outstills	[illegible]	7[illegible]	7[illegible]	[illegible],70,[illegible]	
Still-head duty	2[illegible]				
Miscellaneous	[illegible]				
Toddy revenue	[illegible]	[illegible]	[illegible]	[illegible]	
Opium and its preparation	7[illegible]	[illegible]	[illegible]	[illegible]	
Other drugs, ganja, bhang, &c.	17[illegible]	1[illegible]	18,[illegible]	1[illegible]	
Total	[illegible]	1,2[illegible]	[illegible]	1,3[illegible],20,[illegible]	Budget framed with reference to progressive increase of revenue.
Gain on sale-proceeds of excise opium	1[illegible],57,[illegible]	[illegible]	19,[illegible]	20,00,000	
Duty on ganja	16,8[illegible]	17,[illegible]	17,[illegible]	18,00,000	
Fines, confiscations and miscellaneous	[illegible]	[illegible]	[illegible]	30,000	
GRAND TOTAL	1,62,[illegible]	1,68,[illegible]	1,67,[illegible]	1,7[illegible]	The revised estimate is based on ten months' actuals.
Provincial share	81,47,[illegible]	7[illegible]	7[illegible],00,000	75,91,000	

VI.—Provincial Rates—

HEADS.	1903-1904 Actuals.	1904-1905 Sanctioned estimate.	1904-1905 Revised.	1905-1906 Budget.	REMARKS.
Public works cess	48,84,71[illegible]	[illegible],71,000	[illegible],000	[illegible]	The increase in the revised is attributed to revision of [illegible] valuation and [illegible] in several districts and generally to better collection of arrears. The [illegible] in progress [illegible] are expected to be completed in 1904-1905 and [illegible] from these [illegible] expected in next year.
General rates for the management of private estates	[illegible]	[illegible]	[illegible]	[illegible]	The [illegible] budget is due to the [illegible] of the [illegible] Estate by the Court of Wards.
Total	[illegible]	[illegible]	[illegible]	5[illegible],31,[illegible]	Revised based on the actuals of the first ten months of 1904-1905.

VII.—Customs—

HEADS.	1903-1904 Actuals.	1904-1905 Sanctioned estimate.	1904-1905 Revised.	1905-1906 Budget.	REMARKS.
	Rs.	Rs.	Rs.	Rs.	
Sea Customs—Miscellaneous	2,5[illegible]		..		
Warehouse and wharf rent	[illegible]				
Fees for registration of cargo boats					
Other items	[illegible]			..	
Total	2,[illegible]				The receipts and charges of the Customs Department have been Imperialised under the new Provincial settlement.

VIII.—Assessed Taxes—

HEADS.	1903-1904.	1904-1905.		1905-1906.	REMARKS.
	Actuals.	Sanctioned estimate.	Revised.	Budget.	
1	2	3	4	5	6
	Rs.	Rs.	Rs.	Rs.	
Deductions by Government from salaries and pensions, &c.	4,62,159	4,65,000	4,62,000	4,94,000	
Deductions by Government from interest on Government securities ...	20,506	17,000	18,000	20,000	
Deductions from salaries, &c., paid by local authority or company ...	62,579	48,000	50,000	62,000	
Deductions from profits of Railway Companies	3,246	4,000		4,000	
Income-tax on securities of local authority or company	82,366	85,000	90,000	90,000	
Ordinary collections	42,84,016	45,04,000	43,60,000	44,00,000	
Penalties	18,177	16,000	10,000	18,000	
Miscellaneous	12,832	11,000	10,000	12,000	
Total ...	49,45,815	51,50,000	50,00,000	51,00,000	The revised estimate is based on ten months' actuals. Budget provides for an increase of Rs. 1,00,000 over the revised estimate.
Provincial share	24,72,907	12,87,000	12,50,000	12,75,000	

IX.—Forests—

I.—Timber and other produce removed from the forests by Government agency ...	1,72,614	2,63,000	2,35,000	2,40,000	The decrease in revised is due to smaller receipts from timber in Buxa.
II.—Timber and other produce removed from the forests by consumers or purchasers ...	8,46,709	8,38,300	8,87,000	9,11,000	The increase in the revised is for expected larger sales in Darjeeling, Kurseong, Buxa and Singbhum. The estimate is based on expectation of Local officers
III.—Drift and waif-wood and confiscated forest produce	8,153	8,000	6,000	6,000	
V.—Miscellaneous	38,047	40,700	52,000	43,000	The increase in the revised is caused by a refund of previous year's payments by the Raja of Hill Tippera to the Chittagong Division and the sale of worn-out steam cutter in the Sundarbans Division.
Total ...	10,65,523	11,50,000	11,80,000	12,00,000	
Provincial share	5,32,762	2,88,000	2,95,000	3,00,000	

X.—Registration—

Fees for registering documents	15,65,610	16,80,000	15,85,000	15,85,000	
Fees for copies of registered documents ...	37,896	30,000	42,000	42,000	
Miscellaneous	62,947	50,000	73,000	73,000	
Total ...	16,66,453	17,00,000	17,00,000	17,00,000	Revised is based on the actuals of the first ten months of the current year
Provincial share	8,33,227	17,00,000	17,00,000	17,00,000	

XII.—Interest—

Class I.—Interest on advances to cultivators—					
On advances to cultivators under Land Improvement Loans Act ...	18,337	56,000	49,000	62,000	Revised based on the outstanding mean balances. The estimate is based on the amount of interest due next year on the existing loans and on the probable amount of advances estimated to be made in that year.
On advances to cultivators under Agriculturists' Loans Act, XXII of 1884	15,020				
,, *II.*—Interest on advances under Special Loans—					
On drainage and embankment advances	68,078	53,000	56,000	65,000	
,, *III.*—Interest on loans to landholders, &c	3,736	2,000	2,000	1,000	
,, *IV.*—Interest on loan to Municipal and other public Corporations (excluding Presidency Corporations)	1,60,503	1,96,000	1,47,000	1,48,000	
Interest on Government securities	12,383	12,000	12,000	12,000	
Miscellaneous—					
Interest on arrears of public works cess	40,934	40,000	40,000	40,000	Based on actuals.
,, on the capital cost of His Honour the Lieutenant-Governor's house, &c. ...	1,282	1,000	1,500	1,200	
Interest on zamindari embankment recoveries, &c.	984	1,500	1,000	1,300	
Other items	4,534	5,500	4,500	4,500	
Total Miscellaneous ...	47,734	48,000	47,000	47,000	

XVIA.—Law and Justice—Courts of Law—

Heads.	1903-1904.	1904-1905.		1905-1906.	Remarks.
	Actuals.	Sanctioned estimate.	Revised.	Budget.	
1	2	3	4	5	6
Sale-proceeds of unclaimed and escheated property	Rs 36,661	Rs. 30,000	Rs. 36,000	Rs. 37,000	Estimates follow the actuals of 1903-1904 and revised estimate for 1904-1905.
Court-fees realised in cash	42,292	40,000	46,000	45,000	
General fees, fines and forfeitures	6,73,692	6,70,000	6,65,000	6,73,000	The decrease in revised is due to smaller receipts in the High Court and from Magisterial fines
Pleadership examination fees	34 259	35,000	36,000	35,000	
Miscellaneous fees and fines	1,389	1,000	1,000	1,000	
Miscellaneous	10,921	15,000	23,000	23,000	
Total ..	8,08,234	7,97,000	8,07,000	8,14,000	Revised is based on the actuals of the first ten months of 1904-1905.

XVIB.—Jails—

Jails	10,087	20,000	20,000	20,000	
Jail manufactures	13,96,398	11,80,000	13,30,000	13,80,000	Increase in the budget is for expected demands from the Commissariat Department in 1905-1906
Total	14,15,485	12,00,000	13,50,000	14,00,000	Revised is based on the actuals of the first ten months of the year.

XVII.—Police—

Police supplied to Municipal, Cantonment and Town Funds	8,516	10,000	9,000	10,000	
Police supplied to Public Departments, private companies and persons, and Punitive Police ...	42,452	70,000	33,000	50,000	The decrease in the revised is due to smaller recoveries on account of punitive police and police supplied to Railway Companies.
Presidency Police	1,00,579	90,000	1,06,000	1,06,000	The increase in the revised is for larger receipts on account of fees, fines and forfeitures.
Recoveries on account of village police	1,822	5,000	1,000	1,000	
Fees, fines and forfeitures	22,302	20,000	24,000	25,000	
Cash receipts under the Arms Act ...	30	..	..	...	
Miscellaneous	8,317	10,000	8,000	8,000	
Total ..	1,84,038	2,05,000	1,80,000	2,00,000	Revised based on the first ten months' actuals.

XVIII.—Marine—

Sale-proceeds of vessels and stores	3,272	2,000	2,000	18,000	The estimate includes Rs. 15,000 for expected sale proceeds of pilot vessel *Sarasa*, which will be replaced by the new vessel *Fraser*.
Registration and other fees	71,212	67,000	76,000	76,000	
Pilotage receipts { Calcutta	11,77,366	11,19,000	11,92,000	11,30,000	Estimate based on the average actuals of the past three years.
Pilotage receipts { Chittagong and Balasore ...	19,225	17,500	20,000	19,500	
Load-money for Volunteers	12,701	14,000	13,000	14,000	
Total Pilotage Receipts ...	12,09,292	11,41,500	12,25,000	11,63,500	
Miscellaneous—					
Deductions for mess-money	12,764	12,500	12,800	12,800	
Contribution to Life-boat establishment, Goalundo	255	200	200	200	
Marine Survey	38,323	38,500	36,000	38,000	Estimates based on the average actuals of the past three years.
Overtime fees	6,767				
Miscellaneous receipts of the Shipping office ...	5,345	18,300	18,000	17 00	
Other items	3,568				
Fees for certificates of inland vessels under Act VI of 1884	238				
Total Miscellaneous ..	65,261	69,500	67,000	68,500	
Grand Total .	13,48,977	12,80,000	13,70,000	13,25,000	Revised based on the first ten months' actuals

XIX.—Education—

HEADS	1903-1904.	1904-1905.		1905-1906.	REMARKS.
	Actuals.	Sanctioned estimate.	Revised.	Budget.	
1	2	3	4	5	6
	Rs.	Rs.	Rs.	Rs.	
Fees, Government Colleges ... General ..	2,17,562	2,56,000	2,03,000	2,39,000	The decrease in the revised is due to smaller fee receipts in Arts Colleges. The estimate is based on average actuals of last three years.
Fees, Government Schools ... Professional ..	54,740	55,000	54,000	55,000	
Fees, Government Schools ... General	3,56,386	3,37,000	3,75,000	3,48,800	
Fees, Government Schools ... Special	12,706	12,000	15,000	13,000	
Contributions from Native States, private persons and Municipalities	8,992	10,000	17,000	9,700	
Income from endowments	4,099	2,000	1,000	2,200	
Miscellaneous	54,147	58,000	40,000	1,02,700	The decrease in the revised is for smaller sale proceeds of articles manufactured at the Reformatory Schools. Estimate includes Rs. 57,000 to be realised on account of rent of boarding houses for students in Calcutta.
Total ...	7,08,701	7,30,000	7,05,000	7,70,000	Revised based on actuals of first ten months of 1904-1905.

XX.—Medical—

Medical School and College fees	56,116	55,000	55,000	58,000	
Hospital receipts (receipts from paying patients)	1,00,360	90,000	1,12,000	1,18,000	
Lunatic Asylum receipts	17,175	18,000	20,000	18,000	
Medicines sold by Civil Surgeons ...	27	..	...	...	
Contributions (from Municipalities and private persons)	41,851	40,000	40,000	2,40,000	Estimate includes contribution of Rs. 2,00,000 from the Calcutta Hospital Port Dues Fund to the Presidency General Hospital.
Miscellaneous	7,505	7,000	7,000	7,000	
Total ...	2,30,237	2,15,000	2,37,000	4,37,000	Revised based on the first ten months actuals.

XXI.—Scientific and other Minor Departments—

Botanical and other public garden receipts ...	3,150	3,500	3,000	3,500	
Veterinary and stallion receipts	16,705	14,000	22,000	16,000	
Cinchona plantation ...	1,90,930	2,15,000	2,06,000	2,02,000	The decrease in the revised is due to smaller sales of cinchona alkaloids.
Receipts on account of experimental cultivation .	54	300	...	200	
Emigration fees	29,285	30,500	21,000	31,000	
Examination fees	5,207	3,800	6,000	4,300	
Miscellaneous	1	...	...	...	
Total	2,45,647	2,67,000	2,57,000	2,57,000	Revised based on the first ten months actuals. Estimate based on the average actuals of past three years.

XXII.—Receipts in aid of Superannuation—

Family subscriptions of Native members of the Covenanted Civil Service	2,999	2,000	5,000	3,000	
Capitalised value of pensions of Local Fund Servants	106	..	..		
Contributions of officers lent to Municipalities or Corporations	18,261	20,000			
Contributions of officers lent to foreign service	45,939	43,000	50,000	60,000	Estimate based on past actuals.
Contributions of persons employed by the Court of Wards	12,127	13,000			
Deductions for Marine Pension Fund	12,106	9,000	12,000	10,000	Estimate based on the average actuals of past three years.
Refund of Gratuities	332	..	..	.....	
Total ...	80,868	87,000	65,000	73,000	Revised based on first ten months, actuals.

XXIII.—Stationery and Printing—

Stationery receipts	1,969	2,000	2,000	...	The Stationery Department has been imperialized with effect from July 1904, and the receipts are now included in the India estimates.
Sales of Gazettes and other publications	97,605	94,000	92,000	90,470	
Other Press receipts	48,041	45,000	52,000	49,530	The increase in the revised is due to larger receipts under value of printing work done for Secretariat Press and miscellaneous.
Total ...	1,45,615	1,41,000	1,46,000	1,40,000	Revised based on actuals of ten months.

XXV.—Miscellaneous—

Heads.	1903-1904	1904-1905.		1905-1906.	Remarks.
	Actuals	Sanctioned estimate.	Revised.	Budget.	
1	2	3	4	5	6
	Rs.	Rs.	Rs.	Rs.	
Unclaimed deposits	7,78,386	6,25,000	6,50,000	6,50,000	Estimate based on the average actuals of the last two years. There were large issues in the last six months of 1903-1904.
Treasure-trove	370	...	...	...	
Sale-proceeds of Durbar presents	2,700	7,000	4,000	5,000	Estimate based on the average actuals of the last three years.
Sale of old stores and materials	3,273	15,000	15,000	15,000	
Sale of lands and houses, etc.	(−)1,41				
Fees for Government audits (of Municipal and Local Funds)	60,674	48,000	47,000	58,000	The actuals of 1903-1904 included about Rs. 7,000 for Calcutta Municipal Audit. Estimate based on actuals excluding the fees for Calcutta audit.
Rents	24,902	23,000	27,000	26,000	
Miscellaneous fees, fines, and forfeitures	27,2	,000	10,000	00	The increase is the revised is for larger receipts on account of fees for survey of lands. Estimate has been raised.
Contributions	38,648	35,000	31,000	30,000	Estimate based on the actual demands taken from the Register of the Accountant General's office.
Miscellaneous—					
Fees and fines of Revenue Courts	(−)30	75,000		75,000	
Recoveries of Law charges other than those in pauper suits	13,314	10,000		10,000	
Receipts of the steamer *Chatbandi* in Chittagong	4,854	4,000		5,000	
Value of mathematical stores returned	3,083	500		500	
Sundry receipts Circuit-house	5,6	500		500	
Miscellaneous receipts on account of Public Works Cess under Act IX of 1880 (b Co	10		1,0 ,000		
Miscellaneous receipts on account of Government Management of Ward Estates	10				
Sale-proceeds of trees on Government lands	2,300			2,000	
Sale of elephants	81,050	20,000		8,000	
Other items	72,000	40,0		28,000	
Total Miscellaneous	1,78,0	1,01,,40	1,0 ,000	1,0 ,000	
Total ..	11,3,78	9,15,000	9,50,000	10,00,000	Revised based on the actuals of first ten months of 1904-1905.

XXIX.—Major Works—(Direct Receipts)—

Orissa Canals ...	1,2 ,8	1,23,000	1,1 ,000	1,1 ,000	The actuals of 1903-1904 include special receipts from school. Increase now under the Cuttack Workshops.
Midnapore Canal	2,0,34	1,,000	1,1,000	1,,000	
Hijili Tidal Canal	1,,4	10,000	1 ,00	12,000	
Sone Canals	1,,,17	1,,,000	13 ,000	13,,000	
Total	2,2,,8	2,,,000	2,1,000	2,,00	

XXX.—Minor Works—(Direct Receipts).

In charge of the Public Works Department (Irrigation and Navigation Works)					
Works for which Capital and Revenue accounts are kept—					
Orissa Coast Canal	34,7	2,000	34,000	32,000	
Sarun Canals .. .	67	,1	00	,00	
Calcutta and Eastern Canals ...	5,08,81	4,8,000	5,10,000	1,01,00	The increase both in the revised estimate and in the estimate is on irrigation receipts and is attributed partly to the general increase in all articles of traffic passing through these canals and partly to the changes recently introduced in the administration of these canals.
Total	1,1,3	1,,,00	5,,,00	5,,,00	
Works for which only Revenue accounts are kept—					
Nadia Rivers . .	8,,00	,10	8,000	8,000	
Gaighatia and Bari Khal	2,30	1,00	6,,0	4,00	
Total	10,80	10,,0	14,00	12,,00	
Works for which neither Capital nor Revenue accounts are kept—					
Eden Canal	30,8,	2,,000	30,80	2,,00	
Teni Canal	18,	1,00	2,00	2,00	
Total	31,00	26,,00	31,,00	2,,00	
Total Irrigation and Navigation Works ...	5,,,2	5,28,,00	6,1,,00	6,,,00	
Agricultural Works					
Works for which neither Capital nor Revenue accounts are kept—					
Government embankments .	1,,7	8,,00	17,,00	9,,00	
Takavi embankments under contract	2,,0	1,,00	2,00	3,,00	
Total Agricultural Works ..	1,,7	1,,00	2,,,00	12,,00	
Total in charge of the Public Works Department ...	5,,,,0	5,,0,,00	6,,,,00	6,,,,00	
In charge of the Civil Department.					
Recoveries on account of lands benefited by embankments	1,,,30	1,,7,00	1,,,0	1,,,00	Estimate based on annual demands.
Recoveries on account of capitalized maintenance charges of the Rajapur drainage system	22,38	1,,00	22,000	22,,00	Estimate based on the average actuals of past three years.
Total in charge of the Civil Department ...	1,,,28	1,,,00	1,,,00	1,,,00	Revised based on ten months actuals.
Grand Total	7,,,,0	6,,,,00	8,,,,000	7,,,,000	

XXXII.—Civil Works—

Heads.	1903-1904.	1904-1905.		1905-1906.	Remarks.
	Actuals.	Sanctioned estimate.	Revised.	Budget.	
1	2	3	4	5	6
In charge of the Public Works Department.	Rs.	Rs.	Rs.	Rs.	
Total gross receipts	5,41,933	2,00,000	3,57,000	2,80,000	The increase in the revised is due to anticipated increase in ordinary receipts.
In charge of the Civil Department.					
Tolls on ferries	2,40,117	2,48,000	2,30,000	2,31,000	Smaller receipts for transfer of ferries to the District Boards of Purnea and Malda.
Cemetery receipts	1,162	3,000	1,000	1,000	
Receipts from staging bungalows and encamping grounds	8,457	8,000	9,000	9,083	
Total ...	2,49,736	2,59,000	2,40,000	2,41,000	Revised based on the actuals of first ten months of 1904-1905.
Grand Total ...|	7,91,669	4,59,000	5,97,000	5,21,000	

APPENDIX B.

Bengal Provincial Expenditure, in detail, of minor heads.

[The figures in columns 4 and 5 are those accepted by the Government of India.]

The remarks in column 6, except when otherwise specially explained, refer to difference between columns 3 and 5.

1.—Refunds and Drawbacks—

Heads.	1903-1904. Actuals	1904-1905 Sanctioned Estimate.	1904-1905 Revised	1905-1906. Budget.	Remarks.
1	2	3	4	5	6
	Rs	Rs	Rs.	Rs.	
Land Revenue	11,915	20,000	9,000	16,000	
Stamps	1,38,904	80,000	90,000	92,000	
Excise	5,758	5,000	9,000	5,000	
Assessed Taxes	12,078	6,000	8,000	7,000	
Forest	1,774	1,000	..	1,000	
Registration	2,205	4,000	4,000	4,000	
Provincial Rates	4,212	10,000	4,000	10,000	
Customs	10,902	..	..	...	Made wholly Imperial under the new settlement
Total	1,87,833	1,26,000	1,24,000	1,35,000	The estimate is generally based on the average actuals of last three years, exclusive of special payments. The decrease in 1904-1905 and 1905-1906 as compared with the actuals is due to readjustment of Provincial shares in heads of Revenue divided between Imperial and Provincial.

2.—Assignments and Compensations—

Malikana	1,68,710	1,70,000	1,70,000	1,62,000	Estimate based on average actuals of last three years.

3.—Land Revenue—

Charges of District Administration—					
Summary—					
General Establishment	28,05,866	29,71,000	28,08,000	30,97,000	The decrease in Revised is due to non-utilization of the grants for the reorganization of the Subordinate Executive Service and for the additional appointments of Deputy Magistrates. Budget includes a moiety of Rs. 2,85,000 for the above purpose, a moiety of Rs. 75,000 for pay of muharrirs and peons of Additional Deputy Magistrates.
Subdivisional Establishment	1,22,772	1,24,000	1,25,000	1,30,000	
Partition Establishment	23,184	2,000		2,000	
Process-serving Establishment	1,98,000	2,08,800	1,98,000	2,03,000	
Record-room (or copy-making) Establishment	15,130	18,200	17,000	26,700	Budget includes additional grant to the Board of Revenue
Survey of Waste Lands (Establishment)	19,301	26,000	(—)17,000	25,300	The larger realisation of survey fees have been taken in reduction of charges in 1904-1905
Management of Private Estates under Act X of 1892	28,205	27,000	30,000	34,000	
Lump provision for increase of pay of Ministerial Establishment		1,50,000		1,11,000	
Deduct probable savings		80,000		...	
Total charges of District Administration	31,60,000	34,83,000	31,61,000	35,95,000	
Charges on account of Land Revenue Collections	1,107	1,000	1,000	1,400	
Management of Government Estates—					
Collection of Revenue	3,81,881	3,41,000	3,72,000	3,69,000	The increase in the Revised Estimate is for larger expenditure under Establishment.
Outlay on improvements	2,27,481	2,20,000	2,08,000	3,72,000	Budget includes Rs. 1,50,000 for Sunderbans reclamation.
Deduct probable savings		11,000			
Total	6,21,957	5,55,000	6,40,000	7,41,000	
Survey and Settlement—					
Controlling office (survey)	9,29[illegible]				
Other survey operations including Bengal Drawing Office	1,09,840	1,29,214	1,81,000	78,600	The Revised Estimate includes larger expenditure on Midnapore surveyr.
Minor settlement operations	7,112	40,000	40,000	40,000	
Other ditto	—1,16,045	1,40,786	1,20,000	1,47,187	
Reserve	...	...	...	—5,187	
Total	61,127	3,00,000	3,41,000	2,91,000	
Land Records and Agriculture—					
Establishment	56,662	54,000	56,000	50,600	
District charges	44,358	37,000	46,000	43,000	Larger expenditure under Establishment explains the increase in 1904-1905.
Total	1,01,020	91,000	1,02,000	93,600	

6.—Stamps—

HEADS.	1903-1904. Actuals.	1904-1905. Sanctioned Estimate.	1904-1905. Revised.	1905-1906. Budget.	REMARKS.
1	2	3	4	5	6
Superintendence—	Rs.	Rs.	Rs.	Rs.	
Presidency Executive Establishment ...	87,470	91,904	20,500	.....	Made Imperial with effect from 1st July 1904.
District Establishment	8,007	7,854	10,500	11,000	
		99,758			
For rounding . .	.....	758			
Total ...	95,477	99,000	31,000	11,000	
Charges for the sale of general stamps—					
Discount on sale of one-anna stamps	29,117	28,000	29,000	29,000	
Ditto bills-of-exchange or hundies	4,832	5,000	5,000	5,000	
Ditto other general stamps .. .	1,69,494	1,73,000	1,72,000	1,72,000	
Total ...	2,03,443	2,06,000	2,06,000	2,06,000	
Charges on sale of court-fee stamps					
Discount on sale of adhesive stamps ...	1,01,440	99,000	1,06,000	1,08,000	Increase in view of increase in receipts.
Ditto stamps for copies . .	8,216	9,000	9,000	9,000	
Establishment for sale of stamps ...	37	48	1,000	48	
		1,08,048		1,17,048	
For rounding ..		48		48	
Total	1,09,693	1,08,000	1,16,000	1,17,000	
Discount on plain paper . .	18,685	18,000	20,000	20,000	
Stamp-paper supplied from Central Stores ...	3,12,700	3,43,000	3,39,000	3,43,000	Estimate based on past actuals.
Grand Total ...	7,39,998	7,89,000	7,12,000	7,00,000	Revised based on actuals of ten months.
Provincial share	5,54,999	3,90,000	3,56,000	3,50,000	

7.—Excise—

Superintendence	74,666	79,000	76 000	87,000	
Presidency Establishment—					
Calcutta Collectorate (office)	60,078	62,724	60 000	64 752	
Inspection and Prevention	19,025	16,542	17 000	17,202	
Allowances and Contingencies of ditto .	19,865	15,755	20,000	20,380	The increase in the Revised is for larger payments of rewards.
District Executive Establishment—					
Sadar Establishment	1,21,096	1,25,016	1,25,000	1,46,636	The estimate includes Rs. 20,000 for strengthening the establishment employed in the districts of Orissa Division and Midnapore
Inspection and Prevention	2,81,843	2,20,236	2 32,000	2,32,008	
Allowances	1,41,070	1,38,300	1,33,000	1,34,000	
Distilleries—					
Presidency Establishment	8,343	10,000	9,000	10,000	
District Establishment	1,36,073	1,45,000	1,39,000	1,51,000	Estimate includes larger grants for special contingencies according to local requirements.
For rounding ...	.	+ 427		+ 28	
Total	8,13,559	8,20,000	8,20,000	8,63,000	
Provincial share	4,06,779	3,59,000	3,59,000	3,78,000	

8.—Provincial Rates—

Collection of Rates and Cesses	3,14,611	3,34,000	3,27,000	3,34,000	Estimate based on actual requirements.
Valuation and Revaluation	1,40,705	1,68,000	1,11,000	1 32,000	
Total ...	4,55,316	5,02,000	4,38,000	4,66,000	The decrease in the Revised is due to smaller process-serving and contingent charges and savings in salaries and establishment
Deduct—Proportion debitable to Local for cost of road-cess collection . .	3,08,756	2,32,000	2,18,000	2,16,000	
Deduct—Proportion debitable to Local for revaluation		1,12,000	74,000	88,000	
Deduct—1rd share of recoveries on account of collection of arrear cesses	47,532	54,000	86,000	50,000	
Deduct—Contribution for pension of the cess-collecting establishment	9,738	10,000	10,000	10,000	

9.—Customs—

Heads.	1903-1904.	1904-1905.		1905-1906.	Remarks.
	Actuals.	Sanctioned Estimate.	Revised.	Budget.	
1	2	3	4	5	
Calcutta—	Rs	Rs.	Rs.	Rs.	
Salaries	65,710	..	.....	...	
Collector's Establishment	1,70,980	...	.....	...	
Appraising	83,008	..	...	...	
Preventive	3,51,490	.....	.....	...	
Allowances	1,08,357	.....	...	..	
Supplies and Services	26,106	.....	.....	.	
Contingencies	27,605	...	.....	...	
Total Calcutta	9,29,236		.....	.....	
Balasore	6,783	..	.....	.....	
Chittagong	31,017			.....	
Cuttack	7,301		...	..	
Dacca	713	...		...	
Puri	1,824	....		.	
Grand Total	9,77,774	..	..	...	Made wholly Imperial from 1st April 1904.

10.—Assessed Taxes—

Calcutta Establishment	71,347	75,000	70,000	77,000	The decrease in the Revised is for smaller expenditure under Establishment. The estimate includes provision for a Deputy Collector and Examiner of marwari accounts.
District	1,13,331	91,000	90,000	81,000	In the estimate smaller provision has been made for Assessor's establishments in the mufassal.
Total	1,84,678	1,64,000	1,60,000	1,58,000	
Provincial share	92,339	41,000	40,000	39,000	

11.—Forests—

A.—Conservancy and Works.					
I.—Timber and other produce removed from the forests by Government agency	1,19,754	1,25,000	1,05,000	1,22,000	The decrease in the Revised is due to reduction of departmental works in several divisions.
II.—Timber and other produce removed from the forests by consumers or purchasers	65,243	70,800	70,000	76,000	Budget includes provision for increasing temporary establishments in accordance with growing requirements, while Rs 11,000 has been provided for repairs of steamers and boats and Rs 7,000 for the purchase of coal in the Sunderbans Division.
III.—Drift, wind-wood and confiscated forest produce	2,140	3,000	2,000	2,000	
VI.—Live-stock, stores, tools and plant	15,281	19,000	15,000	20,500	No purchase of elephant was necessary as budgetted for in 1904-1905. The estimate includes Rs. 5,500 for the purchase of a new steam-cutter for the Sunderbans Division.
VII.—Communications and buildings	85,074	89,400	92,000	91,000	Increase in the Revised is due to repairs of Chittagong Forest house and the building of a better house for gazetted assistants in the Sunderbans Division than was originally proposed. The estimate includes Rs. 16,500 for the construction of roads in Singhbhum Division and Rs 7,500 for the construction of tanks in Angul Division.
VIII.—Organisation, improvement and extension of forests	71,338	94,000	80,000	91,500	The estimate includes Rs. 27,000 for forest surveys, Rs 5,000 for delimitation and demarcation of new reserves in the Chittagong Division.
IX.—Miscellaneous	4,330	6,800	6,000	7,000	
Total A.—Conservancy and Works	3,63,460	4,06,000	3,50,000	4,10,000	
B.—Establishments.					
I.—Salaries	2,78,204	2,90,000	2,73,000	2,87,000	The decrease in the Revised is chiefly under Salaries and partly also under Subordinate Forest and Depot Establishments. The estimate provides for the full provincial scale.
II.—Travelling Allowances	46,627	49,000	47,000	50,000	
III.—Contingencies	15,138	16,000	14,000	17,000	
Total B.—Establishments	3,40,039	3,55,000	3,34,000	3,54,000	
Grand Total	7,03,508	7,61,000	6,84,000	7,64,000	

12.—Registration—

HEADS	1903-1904. Actuals.	1904-1905. Sanctioned estimate.	1904-1905. Revised.	1905-1906. Budget.	REMARKS.
1	2	3	4	5	6
	Rs.	Rs.	Rs.	Rs.	
Superintendence	56,034	54,000	55,000	56,000	Increase due to increased rate of pay of Personal Assistant for grade promotion.
District Charges—					
Calcutta	22,296	22,500	22,000	23,000	
Special Sub-Registrars	2,17,292	2,30,000	2,31,000	2,22,500	
Rural Sub-Registrars	6,62,844	6,62,000	6,65,000	6,93,000	The estimate includes a lump provision of Rs. 20,000 for reorganisation of the department and Rs. 8,000 for cost of remitting money to head quarters.
Ex-officio Sub-Registrars	1,900	1,500	2,000	1,750	
Total	9,04,332	9,16,000	9,10,000	9,40,250	
For rounding	...	..	..	250	
GRAND TOTAL	9,60,366	9,70,000	9,65,000	9,96,000	Revised based on the actuals of first ten months of 1904-1905.
Provincial share	4,80,183	9,70,000	9,65,000	9,96,000	

13.—Interest on Ordinary Debt—

Interest on Provincial Advance and Loan Account	1,96,719	2,23,000	1,99,000	2,22,000	Based on the estimated mean outstanding balance of loans carrying interest at 3½ per cent. per annum.

15.—Post office—

District Post Charges	6,055			....	Made wholly Imperial from 1st April 1904.

18.—General Administration—

Salary of Lieutenant-Governor	1,03,561	96,000	96,000	96,000	
Salary of Chief Commissioner and Exchange Compensation Allowance	4,400		13,100		The Chief Commissioner of Central Provinces drew his pay and leave allowance from 1st March 1904 to 17th June 1904 in Calcutta.
Staff and Household of Lieutenant-Governor	72,752	75,000	87,000	80,000	The increase in the revised estimate is for additional grants for renewal of furniture for His Honour's residences. The budget includes a portion of the special grant which could not utilized in 1904-1905, and also the grant for the purchase of curtains, etc.
Expenditure from contract allowance	57,434	40,000	40,000	40,000	
Tour Expenses	18,314	4,000	4,000	6,000	
Legislative Department	59,165	68,000	60,000	68,000	
Civil Secretariats	5,85,504	5,73,000	6,28,000	5,91,000	The increase in the revised is chiefly due to the pay of officers on special duty. In the estimates increased provision has been made for allowances with reference to the actuals of 1903-04.
Board of Revenue	2,96,476	3,01,000	3,07,000	3,12,000	The estimate includes increased provision for hill journey allowances and contingencies and also for grant to meet the charges for the removal of furniture and records to the new buildings.
Commissioners	6,45,630	6,40,000	6,98,000	6,51,000	The increase in the revised is due to the inclusion of the charges for the deputation of Mr. Savage on special duty in connection with police-chaukidari work.
Civil Offices of Account and Audit	48,641	50,000	47,000	49,000	
Total	19,04,677	18,56,000	19,80,000	19,93,000	Revised based on the actuals

19A.—Law and Justice—Courts of Law—

Heads.	1903-1904. Actuals.	1904-1905. Sanctioned Estimate.	1904-1905. Revised.	1905-1906. Budget.	Remarks.
1	2	3	4	5	6
High Court—	Rs	Rs.	Rs.	Rs.	
Judges	7,02,457	7,50,000	7,38,000	7,64,000	Provision has been made for an Additional Judge for inspection work.
Original Side	2,55,234	2,61,000	2,59,000	2,64,000	
Appellate Side	2,33,986	2,85,000	2,26,000	2,91,000	Increase in the estimate is for revision of establishment and for lump provision for the revision of menial establishment.
Copyists' Establishment	82,591	83,600	83,000	55,000	Reduction is nominal and is due to the transfer of pay of copyists from this head to general establishment, appellate side.
Reporters	22,356	24,400	25,000	25,000	
Probable savings		13,84,000 60,000			
Total	12,86,624	13,24,000	13,31,000	13,09,000	
Law Officers—					
English Law Officers	92,574	1,00,000	96,000	98,700	Decrease due to no provision having been made for exchange compensation allowance.
Legal Remembrancer and High Court Pleaders	89,105	86,000	90,000	88,300	Larger provision has been made for fees to pleaders with reference to actuals.
Mufassal Establishment	1,86,908	1,74,000	1,97,000	1,94,000	
Total	3,68,587	3,60,000	3,83,000	3,81,000	The increase in the revised is due to larger payments of fees to pleaders in criminal cases.
Coroner's Court	7,888	9,000	8,000	8,000	
Presidency Magistrates—					
Calcutta Police Court	83,228	87,000	85,000	90,000	Increase in the budget is due to revision of establishment recently sanctioned.
Civil and Sessions Courts—					
District and Sessions Judges	12,70,047	12,93,2[illegible]5	12,94,000	12,84,338	
Subordinate Judges	6,17,951	6,38,665	6,18,000	6,32,144	
Mufussil Small Cause Court	27,002	25,788	26,000	23,232	
Munsifs	17,16,538	17,02,329	17,33,000	17,30,577	The increase in the revised estimate is under salaries of Munsifs. The estimate includes provision for a larger number of officers and for larger establishment.
Allowance	29,404	31,000	31,000	32,000	
Supplies and Services	3,90,420	3,78,063	4,20,000	4,08,500	The increase in the revised is under diet and travelling expenses of witnesses and allowances to jurors and assessors. The estimate also includes larger provision for the same purposes and also for remuneration to copyists.
Contingencies	1,54,892	1,66,792	1,60,000	1,69,704	
Process-serving Establishment	8,22,451	8,58,128	8,18,000	8,40,000	
		50,72,000		51,20,795	
Deduct—Probable savings	.....	37,000	.....	12,795	
Total	50,28,795	50,35,000	51,00,000	51,14,000	
Presidency Courts of Small Cause	1,59,782	1,73,000	1,68,000	1,60,000	
Criminal Courts—					
General Establishment	23,55,886	24,81,800	24,18,000	25,13,000	The decrease in the revised is chiefly due to savings under salaries. The estimate includes a provision for the reorganization of Deputy Magistrates and Sub-Deputy Collectors, for additional establishment under new Deputy Magistrates as explained under Land Revenue.
Subdivisional Establishment	1,22,771	1,24,000	1,25,000	1,30,000	
Process-serving Establishment	1,32,000	1,39,200	1,32,000	1,35,000	
Tributary Mahals, Orissa	1,487	.....	.....	.....	
		27,45,000			
Deduct—Probable savings	.....	75,000	.....	.....	
Total	26,12,144	26,70,000	29,75,000	27,78,000	
Pleadership Examination charges	11,687	12,000	12,000	12,000	
Refunds	79,783	80,000	88,000	85,000	
Lump provision for increase of pay of ministerial establishment	.....	2,50,000	.....	1,64,000	
Grand Total	96,48,518	1,00,00,000	98,50,000	1,02,00,000	Revised based on actuals of

19B.—Jails—

HEADS.	1903-1904. Actuals.	1904-1905. Sanctioned estimate.	1904-1905. Revised.	1905-1906. Budget.	REMARKS.
1	2	3	4	5	6
	Rs.	Rs.	Rs.	Rs.	
Superintendence	56,506	53,000	55,000	54,000	
Establishments—					
Superintendents and Jailors	2,47,050	2,50,000	2,46,000	2,60,000	The estimate includes provision for cost of raising the Barisal Jail to the status of a second-class Jail and to the appointment of a Medical Officer at Midnapore Jail.
Medical Establishment	42,335	38,000	38,000	40,000	Increase due to higher grade Hospital Assistants being employed in District Jails.
Clerical, Educational and Mechanical Establishments	1,513	1,000	1,000	400	
Warder Establishment	2,13,997	2,19,000	2,15,000	2,23,000	The estimate includes provision for raising the Barisal Jail to the status of a second-class Central Jail and to the appointment of additional warders at Dinapur and City Patna Sub-Jail.
Menial and other Establishments	13,214	14,000	14,000	14,000	
Dietary Charges	6,33,132	6,60,000	6,28,000	6,63,000	
Hospital Charges	72,765	85,000	88,000	86,600	
Clothing and Bedding of Prisoners	92,663	95,000	1,03,000	95,000	
Sanitation Charges	38,699	35,000	39,000	40,000	
Charges for moving prisoners	51,880	57,000	45,000	52,000	
Miscellaneous Services and Supplies	1,08,857	1,08,000	1,32,000	1,29,000	The estimate includes increased provision under Central Jails for the supply of electric current for lighting and for the introduction of khaki uniforms for warders.
Allowances	9,311	10,000	8,000	10,000	
Contingent Charges	43,953	44,000	44,000	47,800	
Extraordinary Charges for Live-stock and Tools and Plant	24,839	24,000	28,000	26,400	
Charges for Police Custody	14,423	14,000	14,000	16,000	
Total Jails	16,65,128	17,07,000	16,98,000	17,57,000	
Jail Manufactures	10,68,065	9,72,000	10,31,000	10,62,000	The increase in the revised is for larger expenditure on the purchase of raw materials.
Refunds	.....	1,000	1,000	1,000	
GRAND TOTAL	27,33,193	26,80,000	27,30,000	28,20,000	

20.—Police—

Presidency Police—					
Police Commissioner (Superintendence)	70,259	66,500	71,000	68,000	
Calcutta Police	7,71,900	8,31,500	7,73,000	7,87,300	The decrease in the revised is chiefly due to the lump provision of Rs 50,000 for additional police force not having been utilised. The estimates for next year do not include the lump provision, but include provision for ambulance allowance, allowance for registering motor cars and cycles, and for increased grant under supplies and services.
River Police	9,439	10,600	10,000	9,700	
Salt Police	8,633	4,000	4,000	4,000	
Police Dead-house	1,295	1,000	1,000	1,000	
Refunds	.. ..	4,000	..	..	
Total	8,56,526	9,17,000	8,59,000	8,70,000	
Municipal Police	50,632	49,000	52,000	52,000	The increase is due to the increased number of Sub-Inspectors and head-constables.
Superintendence	1,74,834	1,66,000	1,71,000	1,63,000	
District Police Force—					
Salaries	4,73,567	4,55,000	4,72,000	4,65,000	The increase is due to an additional appointment of an Assistant District Superintendent.
Police Force	31,04,925	32,10,000	32,56,000	31,97,500	
Training School for Sub-Inspectors	18,596	19,000	19,000	21,000	
Establishment	1,78,963	1,80,000	1,87,000	1,82,500	
Hospital charges	43,521	37,000	48,000	47,000	The increase in the estimate is due to increased grant for diet of patients and improvement of hospitals. It includes Rs. 6,000 for allowances to Assistant Surgeons and Civil Hospital Account for teaching the police the first aid to wounded.
Allowances	3,76,627	3,44,000	3,90,000	3,75,000	Estimate based on actuals.
Supplies and Services	5,95,715	3,81,000	7,04,000	5,37,000	Estimate includes Rs. 46,000 for a new steam-launch for the proposed Superintendent River Police, Rs. 2,600 for Athletic Clubs, Rs. 30,000 for rewards and an additional provision of Rs. 50,000 for petty construction and repairs for improvement of police buildings. The increase in the revised is for additional grants for petty construction and repairs, for purchase of furniture for police buildings and for the purchase of law books.
Contingencies	1,60,424	3,16,000	1,64,000	2,93,000	

20.—Police—concluded.

Heads.	1903-1904. Actuals.	1904-1905. Sanctioned estimate.	1904-1905. Revised.	1905-1906. Budget.	Remarks.
1	2	3	4	5	6
	Rs.	Rs.	Rs.	Rs.	
Special Police—					
Sikkim State Police	...	.....	4,000	.. ..	
Bengal Military Police	83,796	85,000	67,000	85,000	The decrease in the revised is due to savings under ordnance stores.
Frontier Police, Chittagong	49,010	40,000	38,000	40,000	The decrease in the revised is under supplies and services.
Ditto Angul	31,648	35,000	31,000	38,000	The decrease in the revised is partly under police force and partly under allowance.
Upper Burma Police Depôt	4,648	6,000	6,000	5,000	
South Lushai Police	2,248	.....	1,000		
Total ...	1,71,349	1,66,000	1,47,000	1,68,000	
Railway Police—					
East Indian Railway Police	57,121	60,000	56,000	65,000	The increase in the estimate is for increased force and additional grant for watch and ward and consequent increase in the grant for rents, rates and taxes.
Eastern System Railway Police	99,780	1,00,000	96,000	1,00,500	The decrease in the revised is under police force and supplies and services.
Assam-Bengal Railway Police	4,293	6,000	5,000	6,000	
Bengal and North-Western and Tirhut State Railway Police	11,628	12,000	12,000	15,000	The estimate includes provision for increase in the number of chaukidars.
Bengal-Nagpur Railway Police	10,576	13,500	11,000	16,000	The estimate includes provision for increased force and larger grant for watch and ward chaukidars.
Bengal Central Railway Police	3,543	4,500	4,000	4,500	
Total	1,86,939	1,96,000	1,83,000	2,07,000	
Lump provision for Police reorganization	... .			12,00,000	Special assignment made by the Government of India.
Cattle-pounds	783	1,000	1,000	1,000	
Refunds	28,852	10,000	16,000	30,000	Estimate based on actuals.
Grand Total ...	65,71,635	65,50,000	67,60,000	78,90,000	Revised based on actuals of ten months of the year.

21.—Marine—

Salaries and allowances of officers and men afloat ...	65,101	60,000	63,000	76,000	Estimate includes Rs. 31,400 for the steamer *Fraser* against Rs. 13,800 for the pilot-vessel *Barsati*, for which no provision has been made.
Victualling of officers and men afloat	22,037	23,200	25,000	25,000	
Purchase of marine stores and coal for the building, repairs and outfit of ships and vessels	1,06,114	1,12,000	99,000	1,06,700	Estimate includes Rs. 29,000 for the new vessel *Fraser* against decreases under pilot-vessels.
Purchase and hire of ships and vessels	13,826	6,90,000	7,08,000	65,000	Budget includes Rs. 45,000 for the payment of deliver charges of the new vessel and Rs. 20,000 for towage, etc.
Pilotage and pilot establishments	7,05,428	6,81,400	7,32,000	6,87,000	The increase in the revised estimate is under earnings and allowances of pilots.
Marine establishments	89,416	99,900	91,000	1,01,000	
Subsidies to steam-boat companies	23,572	24,500	25,000	23,900	
Miscellaneous	33,529	31,000	30,000	31,100	
State Yacht establishment	5,088	6,000	7,000	6,300	
Refunds	864	3,000	15,000	1,000	
Total ...	10,66,645	17,40,000	18,00,000	11,23,000	Revised is based on ten months' actuals *plus* the cost of the new pilot cruiser, for which a provision of Rs. 6,75,000 was originally made, but for which an additional sum of Rs. [illegible]

22.—Education—

HEADS.	1903-1904.	1904-1905.		1905-1906.	REMARKS.
	Actuals.	Sanctioned estimate.	Revised.	Budget.	
1	2	3	4	5	6
	Rs.	Rs.	Rs.	Rs.	
Direction	89,570	87,400	90,000	89,000	The increase is under Establishment.
Inspection—					
Inspector of European Schools	18,334	18,700	14,000	14,400	The decrease is due to the appointment of an Inspector on lower pay.
Inspectors of other schools	3,23,383	3,43,300	3,24,000	3,27,600	The decrease is due to change of incumbents and to smaller grants under allowances with reference to actuals.
Total ...	3,41,717	3,62,000	3,38,000	3,42,000	
Government Colleges, General—					
English Colleges—					
Arts Colleges	3,73,833	3,96,600	4,07,000	4,53,000	The increase in the revised estimate is partly under Salaries and partly under Establishment and contingencies. The increase in the estimate is partly for additional Professors and partly for provision for teaching commercial correspondence in the Presidency College and for teaching Sanitary Science and for a provision of Rs. 4,000 for a liquid air machine for the Presidency College.
Eden Hindu Hostel	29,667	32,500	31,000	33,072	
Bethune College	37,468	38,000	36,000	38,600	
Oriental Colleges—					
Sanskrit College	35,230	37,000	37,000	40,000	The increase is for promotion of professors and masters.
Calcutta Madrassa	50,203	54,500	54,000	54,000	
Elliott Madrassa Hostel	4,043	4,500	4,000	4,074	
Expenditure on petty construction and repairs...	21	.....	15,000	14,000	Provision made for grant towards the hostel of the Midnapore College.
Provision for the extension of Ravenshaw College	.....	40,665	...	..	
Expenditure on furniture and apparatus ...	18,519	21,500	6,000	21,500	
		6,28,265	.....	6,58,846	
Deduct—For rounding ...	.....	265	...	+154	
Total ...	5,48,984	6,25,000	5,90,000	6,59,000	
Government Colleges, Professional—					
Law Colleges	9,721	9,400	9,600	9,600	
Civil Engineering College, Sibpur, Howrah ...	2,61,321	2,15,600	2,00,000	2,22,000	The decrease in the revised is chiefly due to savings under Salaries and Establishment.
Expenditure on furniture and apparatus	.....	6,000	2,400	6,000	
				2,37,600	
Deduct—For rounding ...	.....	... .	.....	600	
Total ...	2,71,042	2,34,000	2,12,000	2,37,000	
Government Schools, General	7,20,114	7,10,090	7,00,000	7,21,000	The decrease in the revised is due partly to the non-utilization of the provision for opening B and C classes in certain schools, for training colleges for teachers and for a female school, and partly for smaller expenditure on petty construction and repairs. The increase in the budget is due to a provision of Rs. 8,000 for agricultural gardens, larger grants for opening B and C classes in certain high schools, for salaries of collegiate schools and Victoria Boarding School (Boys') at Kurseong, for large grants for the Girls' School, Kurseong, and for rewards to gurus in Circle schools.

—*Education*—concld.

Heads.	1903-1904.	1904-1905.		1905-1906.	Remarks.
	Actuals.	Sanctioned estimate.	Revised.	Budget.	
1	2	3	4	5	6
vernment Schools, Special	Rs. 3,41,922	Rs. 4,42,000	Rs. 3,32,000	Rs. 5,13,000	The decrease in the revised is due to non-utilization of the grants for additional establishment for raising the status of the Dacca Surveys School to the status of the Behar School of Engineering, for workshops of the Dacca Survey and Behar School of Engineering, for continuation schools, for starting training colleges at Hooghly and Dacca, for training institutions for primary school teachers, for agricultural training in Hazaribagh Reformatory School and for weaving looms for Alipore Reformatory School. The increase in the budget is due to larger grants for starting training colleges at Hooghly and Dacca, for training institutions for primary school teachers, for stipends to pupil teachers in normal schools, for the working of the weaving department in Reformatory School, Alipore, for the appointment of a foreman instructor for the Dacca Survey School, for grant to fit up the Behar School of Engineering with electric plant, for the grant for zenana education by central gathering, for training institutions for girls, and for house-to-house visitation by female teachers.
nts-in-aid	8,05,638	7,65,000	8,18,000	8,20,000	Larger expenditure for grants in-aid towards buildings accounts for the increase in the revised estimates. The budget includes larger grants for buildings, grant for lace-making, wool-dyeing and weaving industry in the Government Estate of Kalimpong and grant to Jewish Girls' School.
larships	1,94,605	2,02,000	1,91,000	2,10,000	The budget includes special scholarships for Nizamat boys, mining scholarships, larger grants for scholarships to industrial students to Europe.
ellaneous	1,21,082	86,000	80,000	1,56,000	The budget includes Rs. 67,200 for rent of buildings for hostels and boarding-houses, Calcutta
p provision for University Education ..	.....	.....	2,00,000		
p provision for expenditure on Primary Education		.....	.....	10,00,000	Special assignment made by the Government of India.
nds	7,158	5,000	1,000	5,000	
Grand Total ...	34,41,852	35,19,000	35,62,000	47,52,000	

24.—Medical—

HEADS.	1903-1904. Actuals.	1904-1905. Sanctioned estimate.	1904-1905. Revised.	1905-1906. Budget.	REMARKS.
1	2	3	4	5	6
	Rs.	Rs.	Rs.	Rs.	
Medical Establishment— Superintendence	78,061	80,500	80,000	87,500	The budget provides for a grant of savings of contract contingencies.
District Medical Establishment	6,24,639	7,17,000	7,27,000	7,02,000	The decrease in the estimate is for a provision of Rs. 97,000 for increase of pay of Indian Medical Service officers against Rs. 1,20,000 in 1904-1905.
Reserve Medical Officers and Subordinates ...	23,519	20,000	19,000	20,000	
Total ...	7,26,219	8,17,500	8,26,000	8,09,500	
Hospitals and Dispensaries— Presidency Hospitals and Dispensaries— Medical College Hospital	1,59,398	1,57,000	1,36,000	1,51,000	The decrease is under Supplies and Services for less expenditure under Diet of patients.
General Hospital	1,85,423	2,42,000	2,10,000	2,15,300	The decrease in both the years is under Supplies, for smaller expenditure on account of the maintenance of electric plant and for the charge for refrigerating apparatus being debited to the Public Works Department.
Campbell Hospital	81,293	94,000	86,000	88,000	The decrease is due to no separate provision being made for clothing, as it was included under Contract Contingencies.
Albert Victor Asylum for Lepers	18,747	23,500	17,000	21,100	Saving under Diet of patients anticipated both in 1904-1905 and 1905-1906.
Mufassal Hospitals and Dispensaries	67,695	78,000	69,000	70,000	There have been savings under Allowances in 1904-1905.
Grants to Mufassal Hospitals and Dispensaries	62,153	70,000	1,12,000	90,500	The increase in the revised is for additional grants sanctioned for the construction of hospital buildings at Bankipore and Bhagulpore and for annual grant for the maintenance of the former hospital. The estimate includes a provision of Rs. 13,900 for grants to Leper Asylums.
				6,35,900	
Deduct—Probable savings ...	...	...	...	8,000	
Total ...	5,74,109	6,59,500	6,30,000	6,27,900	
Sanitation and Vaccination	1,86,813	1,95,000	1,98,000	2,13,000	Budget includes Rs. 17,000 for the reorganization of the Vaccination Department, including rewards. Provision has also been made for increase under temporary establishment and for larger grant for fees for the inspection of vessels.
Grants for Medical purposes—					
Microscopical experiments in jails ...	...	...	...	...	
Expenses during the prevalence of plague ...	60,205	86,000	50,000	70,000	
Expenses during the prevalence of epidemics ..	1,829	3,000	1,000	2,000	
Expenses in connection with cholera inoculation	5,508	5,000	5,000	5,000	
Value of medical stores	9,104	3,500	16,000	5,000	
Grant to Leper Asylum, Purulia		4,000		4,000	
Exchange compensation allowances ..	139	... ...	.....	.....	
Total	76,745	1,01,500	72,000	86,000	
Medical Schools and Colleges— Medical College	2,63,547	1,80,000	1,74,000	1,91,000	The decrease in the revised is for savings under Salaries, while the increase in the estimate is for the additional provision for the Pathological and Physiological Departments.
Medical Schools	1,38,487	1,44,000	1,38,000	1,41,600	The decrease in the revised is for savings under Supplies and Services.
Total ...	4,02,034	3,24,000	3,12,000	3,32,600	
Lunatic Asylums	1,22,450	1,40,000	1,26,000	1,42,500	The decrease in the revised is for savings under Salaries and Contingencies, while the increase in the budget is for rates and taxes of Dullunda and Patna Lunatic Asylums.
Special Hospital	10,657	13,000	9,000	12,500	The decrease in the revised is for savings under Diet and clothing of patients.
Chemical Examiner	48,108	48,500	49,000	50,000	
Refunds	1,142	1,000	3,000	1,000	
GRAND TOTAL ...	21,48,371	23,00,000	22,25,000	23,75,000	The revised is based on the actuals of the first ten months of 1904-1905.

25.—*Political*—

Heads.	1903-1904. Actuals.	1904-1905. Sanctioned estimate.	1904-1905. Revised.	1905-1906. Budget.	Remarks.
1	2	3	4	5	6
Entertainment of Envoys and Chiefs	Rs. 1,430	Rs. 2,000	Rs. 6,000	Rs. 1,500	The increase in the revised is due to the supply of rations to the convoy of the Bhutan Government who came to Buxa to receive the annual subsidy.
Durbar presents and allowances to Vakils, etc. ...	10,799	17,600	10,000	11,500	
Miscellaneous	7,085	8,500	8,000	9,000	Estimate based on actuals.
		28,100			
For rounding ...		100			
Total	19,314	28,000	19,000	22,000	The revised is based on ten months' actuals.

26.—*Scientific and other Minor Departments*—

Provincial Museums	210	...	... ..	...	
Preservation and translation of ancient manuscripts	.....	...	6,000	6,200	The charge has been provincialized from 1st April 1904
Veterinary and Stallion Charges	79,714	1,02,000	86,000	1,86,000	The decrease in the revised is due to non-utilisation of the grant for the introduction of the glanders and Farcy Act into Calcutta and to savings under establishment and allowances and supplies and services. The estimate includes a larger grant for establishment, supplies and services and office expenses and also a lump provision of Rs. 60,000 for the development of the Belgachia Institution.
Register of Co-operative Credit Societies ..	.. ...	.....	6,000	25,000	
Imperial Institute	141	500		500	
Donations to Scientific Societies	8,000	8,000	8,000	8,000	
Experimental Cultivation	1,02,726	91,000	80,000	1,88,300	The estimate includes Rs. 5,000 for Experimental Farm at Cuttack, Rs. 5,000 for Cotton Cultivation, Rs. 50,000 for Indigo experiments, Rs. 6,000 for Bengal Provincial Agricultural Association, Rs. 8,000 for cattle-breeding farms and Rs. 15,000 for the pay and establishment for the Deputy Director of Land Records and Agriculture.
Cinchona Plantation	2,14,469	1,95,000	2,03,000	2,36,000	The increase in the revised is due chiefly to larger laboratory and manufacturing charges and larger expenditure on the purchase of Cinchona bark and under establishment. The estimates include Rs. 40,000 for the enlargement of the Cinchona Factory.
Public Exhibitions and Fairs	3,112	3,000	3,000	3,500	
Botanical and other Public Gardens	1,49,401	1,29,000	1,75,000	1,32,500	The increase in the revised is for larger expenses of the Herbarium. The estimate includes Rs. 5,000 for new cabinets.
Emigration	20,740	26,000	24,000	26,000	
Inspector of Factories	26,471	28,200	27,000	33,000	Budget includes provision for increase of pay of the Inspector of Factories and the appointment of an Additional Assistant Inspector.
Census	1,149	1,500	1,000	1,500	
Gazetteer and Statistical Memoirs	47,870	47,000	28,000	47,000	
Registration of Railway Traffic	8,582	8,500	9,000	8,500	
Registration of River-borne Traffic	4,918	5,000	4,000	5,000	
Provincial Statistics	18,289	22,000	21,000	18,000	
Examinations	3,317	4,500	5,000	4,500	
Bacteriology	8,470	9,000	8,000	10,000	
Inspector of Mines	2,780	...	3,000	...	The charge is adjusted in the India Books.
Miscellaneous	.	600	.		
Refunds	512	200	.....	500	
Total ...	7,00,871	6,80,000	7,04,000	9,40,000	

29.—*Superannuation*—

Superannuation and retired allowances ..	25,37,027	26,00,000	26,80,000	27,57,000	Increased provision made to meet the annual growth of expenditure.
Compassionate allowances	14,290	15,000	15,000	16,000	Estimates based on actuals.
Gratuities	11,474	10,000	10,000	11,000	
Marine Department Pensions	28,986	32,000	29,000	31,000	Estimate based on the average of last three years.
Refunds	2,723	.. ..	.....	.....	
Total ...	25,94,576	26,57,000	27,04,000	28,15,000	The revised based on actuals of ten months of 1904-05.

30.—Stationery and Printing—

HEADS.	1903-1904. Actuals.	1904-1905. Sanctioned estimate.	1904-1905. Revised.	1905-1906. Budget.	REMARKS.
1	2	3	4	5	6
Stationery Office at the Presidency	1,90,862	2,12,500	89,000	65,000	The charges of the Stationery Branch have been made Imperial from 1st July 1904. The estimate represents charges for Form Branch.
Ditto purchased in the country	57,620	63,500	57,000	62,000	
Government Presses	3,74,074	4,05,000	3,73,000	4,12,000	The decrease in the revised is for smaller expenditure under supplies and services and contingencies of the Bengal Secretariat Press and establishment and contingencies of Jail Press. The increase in the budget is for increased grant for cost of stores from England for the Jail Press.
Printing at Private Presses	1,109	1,000	1,000	1,000	
Stationery supplied from Central Stores ...	6,11,652	7,00,000	6,57,000	6,80,000	
Refunds	1,729	1,000	1,000	2,000	
Total ...	12,42,046	13,83,000	11,76,000	12,22,000	Revised based on actuals of first ten months of 1904-1905.

32.—Miscellaneous—

Travelling allowances to officers attending examinations	4,864	4,000	5,000	5,000	
Subscription to periodicals	(—)27,541	5,000	5,000	5,000	
Rewards for proficiency in Oriental languages, and allowance to Language Examination Committee...	7,522	9,000	12,000	11,000	Provision made for local requirements.
Cost of books and publications	600	1,000	10,000	1,000	
Donations for charitable purposes	1,20,801	1,22,000	1,74,000	1,22,000	The revised estimate includes Rs. 15,000 to the Young Women's Christian Association, Rs. 5,000 to Calcutta Orphanage for Hindus, and Rs. 32,000 to District Charitable Society for construction of buildings.
Charges on account of European vagrants ...	4,219	7,000	4,000	7,000	
Rewards for destruction of wild animals ...	7,103	8,000	7,000	8,000	
Petty establishments	69,224	38,000	60,000	47,000	The increase in the revised is for larger expenditure under supplies and services, and contingencies of Circuit-House and on Khedda establishment.
Special Commissions of Enquiry	9,258	20,000	5,000	44,000	Estimate includes Rs. 25,000 for Mr. Savage's deputation to village chaukidari work and Rs. 4,000 for the selection and destruction of records.
Irrecoverable temporary loans written off	1,05,637	6,000	10,000	14,000	Estimates based on average actuals of the last three years excluding special items. The increase in actuals in 1903-04 was due to remission of the Gekko loan.
Rents, Rates, and Taxes	30,790	34,000	31,000	32,000	
Contributions	1,610	4,000	5,000	4,000	
Miscellaneous and unforeseen charges	2,468	5,000	2,000	6,000	Estimates based on the average actuals of the last three years, excluding special items.
Miscellaneous refunds	7,123	9,000	14,000	8,000	
Coronation celebration charges	—39	...	...	...	
Total Provincial	3,45,648	2,72,000	3,44,000	3,14,000	Revised based on actuals of the first ten months of 1904-05.

40.—Railway Revenue Account—Subsidized Company's land.

Land charges of the Bengal Provincial Railway ...	5,311	3,000	4,000	...	

42.—Irrigation—Major Works—(Working Expenses)—

Orissa Canals	3,57,837	4,01,600	3,40,000	3,48,000	
Midnapore Canal	1,41,642	1,57,000	1,40,000	1,64,000	
Hijili Tidal Canals	23,805	30,000	40,000	29,000	
Sone Canals	4,94,357	5,86,000	5,00,000	5,01,000	
Total ...	10,17,041	11,74,000	10,20,000	11,04,000	Revised based on the actual expenditure of nine months of 1904-05, while the estimate is based on local requirements. It includes Rs. 6,38,700 for establishment and Rs. 70,000 for tools and plant against Rs. 6,81,000 and Rs. 64,000, respectively, in the estimate for 1904-05.

42.—Irrigation—Major Works—(Interest on Debt)—

43.—Minor Works and Navigation—

Heads.	1903-1904. Actuals.	1904-1905. Sanctioned estimate.	1904-1905. Revised.	1905-1906. Budget.	Remarks.
1	2	3	4	5	6
IN CHARGE OF THE PUBLIC WORKS DEPARTMENT.	Rs.	Rs.	Rs.	Rs.	
Irrigation and Navigation Works.					
Works for which Capital and Revenue Accounts are kept.					
Capital.					
Works in Progress.					
Midnapore Canal	951	...	6,590	12,000	This is for constructing permanent outlets and other improvements for the control of irrigation from the canal.
Orissa Canals	40,754	17,000	33,850	41,000	This is for Dudhai canal, distributaries and permanent outlets
Sone Canals	11,334	..	3,000	10,000	
Damudar	—1,200	...	....	...	
Saran Canals	2,508	...	1,130		
Calcutta and Eastern Canals	5,24,589	1,55,000	2,18,510	2,24,000	This estimate includes Rs 1,44,000 for the canal between Dhappa and Bamanghatta, Rs. 50,000 for Madaripur *bhil* route and Rs. 10,000 for constructing sheds in the new cut canal. The revised estimate provides only for the *bhil* route
Total Capital ...	5,78,936	1,72,000	2,63,080	2,87,000	
Revenue.					
Orissa Coast Canal	63,206	50,000	46,000	58,000	
Saran Canals	4,336	4,000	2,200	3,500	
Calcutta and Eastern Canals	2,03,128	2,77,000	3,44,785	2,97,500	
Total Revenue ...	3,30,670	3,31,000	3,93,075	3,59,000	
Total Works for which Capital and Revenue accounts are kept	9,09,606	5,03,000	6,56,161	6,46,000	
Works for which only Revenue Accounts are kept.					
Works in Progress.					
Nadia Rivers	99,470	1,05,500	1,16,775	1,15,000	
Gaighatta and Buxi Khals	519	1,200	6,582	1,000	
Total Works for which only Revenue accounts are kept	99,989	1,06,700	1,23,357	1,16,000	
Works for which neither Capital nor Revenue Accounts are kept.					
Works in Progress.					
Eden Canal	48,825		35,517	39,000	
Tour of Midnapore Canal	12,452		10,916	4,000	
Improvement Navigable channels—		80,300			
Ganges river	56,557		48,449	46,000	
Sugarcane irrigation by pumping at Otter ...	457		10,000		
Total Works for which neither Capital nor Revenue accounts are kept	1,18,291	80,300	1,05,482	89,000	
Total Irrigation and Navigation Works ...	11,22,886	6,90,000	8,85,000	8,51,000	
Agricultural and Drainage Works.					
Works for which neither Capital nor Revenue Accounts are kept.					
Works in Progress.					
Government embankments and works for the improvement of Government and escheated estates	5,00,837				
Midnapore takavi embankments under contract	36,186	6,91,000	9,30,000	11,53,000	The budget includes Government contribution of Rs 3,75,000 for the Magrahat drainage scheme. The revised estimate includes Rs. 1,25,000 for the same purpose.
Sandak takavi embankments under contract	76,831				
Works in charge of Civil Officers	25,448				
Total Agricultural ...	6,39,302	6,91,000	9,30,000	11,53,000	
Total in charge of the Public Works Department ...	17,62,188	13,81,000	18,15,000	20,04,000	
IN CHARGE OF CIVIL OFFICERS.					
Embankments under the contract system—					
Establishments	1,425	1,452		1,452	
Salaries and Contingencies	47	148		48	
Maintenance charges of the Howrah and Rajapur drainages	4,059	3,276	5,000	3,276	
Refunds	18	.....		.....	
Add—For rounding ...	.....	124		224	
Total in charge of the Civil Department ...	5,549	5,000	5,000	5,000	
Grand Total ...	17,67,737	13,86,000	18,20,000	20,09,000	

45.—Civil Works—

HEADS.	1903-1904.	1904-1905.		1905-1906.	REMARKS.
	Actuals.	Sanctioned estimate.	Revised.	Budget.	
1	2	3	4	5	
IN CHARGE OF THE PUBLIC WORKS DEPARTMENT.	Rs.	Rs.	Rs.	Rs.	
Original Works.					
Civil Buildings ... ... { In progress ... / Not commenced ...	45,26,801	13,84,000 / 7,66,300	30,41,000	13,73,900 / 14,36,500	
Communications ... ... { In progress ... / Not commenced ...	2,79,606	2,84,700 / 35,000	2,77,000	2,50,600 / 29,000	
Miscellaneous Public Improvements. { In progress ... / Not commenced ...	96,786	5,000 / 10,000	15,000	..... / 35,000	
Total ...	49,03,783	24,85,000	33,33,000	31,25,000	
Repairs.					
Civil Buildings	5,80,520	5,70,000	5,75,000	5,45,000	
Communications	9,98,719	9,23,000	8,67,000	8,56,000	
Miscellaneous Public Improvements	64,593	1,07,000	1,07,000	1,07,000	
Total ...	16,43,832	16,00,000	15,49,000	15,08,000	
Establishment	9,34,677	8,51,781	9,38,000	9,77,890	
Tools and Plant	47,101	33,219	33,000	37,110	
Stock and Suspense	—89,320	....	86,000	.....	
Total in charge of Public Works Department ...	74,39,073	49,70,000	59,39,000	56,48,000	
IN CHARGE OF THE CIVIL DEPARTMENT.					
Ferry charges	7,201	9,000	37,000	8,350	
,, refunds	29,871	37,000		28,000	
Staging bungalows	10,393	12,700	13,000	12,948	
Encamping grounds	222	1,300	...	1,156	
Contributions in aid of Excluded Local Funds and Municipalities	1,18,502	2,40,000	1,00,000	6,50,000	The decrease in revised is due chiefly to the non-utilisation of the special provision made for grants to Calcutta Corporation and Nadia Municipality and other purposes. The increase in the budget is for additional provision for special grants for hospitals, water-works and drainage in municipal areas.
Improvements in the Port of Chittagong	...	...	75,000	4,31,000	
Reserve for Police and Jail buildings and other purposes		12,50,000	.....	14,51,000	The absence of any provision in the revised is due to the re-adjustment of the grant under appropriate heads.
Deduct for rounding	.....	...	.....	—454	
Total in charge of Civil Department ...	1,66,189	15,50,000	2,85,000	25,82,000	
GRAND TOTAL ...	76,05,262	65,20,000	62,24,000	82,30,000	

Contributions from Provincial to Local.

[The figures are in thousands.]

HEADS.	ACTUALS, 1903-1904.		1904-1905 BUDGET.		1904-1905 REVISED.		BUDGET, 1905-1906		REMARKS.
	Receipts.	Charges.	Receipts.	Charges.	Receipts	Charges.	Receipts.	Charges.	
1	2	3	4	5	6	7	8	9	10
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Land Revenue	...	36	...	16	...	28	...	20	Revised includes larger grants for improvements in the Santhal Parganas.
Provincial Rates	...	...	..	1	...	1	...	1	
Post-office	...	1	..	1	..	1	...	1	
General Administration...	..	12	...	12	...	13	...	13	
Police	4,33	24	4,33	24	4,33	26	4,33	24	
Education	27	16,68	27	16,61	27	16,68	27	16,64	
Medical	...	4	...	9	...	7	...	7	
Scientific and other Minor Departments	..	6	...	13	..	10	...	10	
Stationery and Printing ...	...	18	..	18	...	18	...	13	
Civil Works	2,94	9,71	2,94	5,35	2,94	3,60	2,94	23,07	The budget includes the additional grant of 12½ lakhs sanctioned by the Government of India.
Miscellaneous	...	10	...	3	...	10	...	3	
Total ...	7,54	27,40	7,54	22,83	7,54	21,41	7,54	40,67	
Net ...	19,86		15,29		13,87		33,13		

The Council was then adjourned to Friday, the 31st March, 1905.

CALCUTTA; L. C. ADAMI,

Extract of the Proceedings of the Council of the Lieutenant-Governor of Bengal, assembled under the provisions of the Indian Councils Acts, 1861 and 1892.

The Council met in the Council Chamber on Friday, the 31st March, 905, at 11 A.M.

Present:

The Hon'ble SIR ANDREW FRASER, K.C.S.I., Lieutenant-Governor of Bengal, *presiding.*

The Hon'ble MR. L. HARE, C.I.E.

The Hon'ble MR. K. G. GUPTA.

The Hon'ble MR. B. L. GUPTA.

The Hon'ble MR. E. W. COLLIN.

The Hon'ble MR. R. W. CARLYLE, C.I.E.

The Hon'ble MR. W. A. INGLIS.

The Hon'ble MR. L. P. SHIRRES.

The Hon'ble MR. H. W. C. CARNDUFF, C.I.E.

The Hon'ble MR. R. T. GREER, C.S.I.

The Hon'ble BABU KALI PADA GHOSH, M.A., B.L.

The Hon'ble BABU BHUPENDRA NATH BASU, M.A., B.L.

The Hon'ble BABU SALIGRAM SINGH.

The Hon'ble MR. C. F. LARMOUR.

The Hon'ble MR. A. A. APCAR.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

The Hon'ble MR. J. CHAUDHURI, M.A.

The Hon'ble ASIF KADR SAIYID WASIF ALI MIRZA of Murshidabad.

The Hon'ble RAJA BAN BEHARI KAPUR, C.S.I.

[*Babu Bhupendra Nath Basu; Mr. Shirres.*]

QUESTIONS AND ANSWERS.

THE MANICKNAGAR GHÂT ROAD.

The Hon'ble BABU BHUPENDRA NATH BASU said:—

(*a*) With reference to the replies given to Questions V (*3*) and (*6*) at the Meeting of this Council held on 17th December, 1904, will the Government be pleased to lay on the table the orders of Sir John Woodburn's Government rescinding the resolution of the Municipal Commissioners of Bhadreswar making over the Manicknagar Ghât Road to Messrs. Thomas Duff & Co. in February, 1900, and also the opinion of the Legal Advisers to the Government in the matter?

(*b*) Will the Government be pleased to state if Messrs. Thomas Duff & Co., in their letter dated the 4th December, 1903, to the Government, proposed that either of the two alternative roads, *e.g.*, the Manicknagar Ghât Road or the Paikparah Ghât Road, will suit their purpose? Is it not a fact that the lands on both sides of both these roads belong to Messrs. Thomas Duff & Co.?

(*c*) In the Government Resolution dated the 17th September, 1904, paragraph 4, it is stated that, if the Manicknagar Ghât Road was not given up to Messrs. Thomas Duff & Co., the use of the road by the employés of the Company who have lands on both sides of the road would entirely destroy the privacy of the road and make it unsuitable for its present purpose of access to and from the river for bathing purposes. Would not the same inconvenience arise with regard to the Paikpara Road, which leads to the river and the land on both sides of which also belong to the Company?

(*d*) Is it not the fact that the people of Bhadreswar and its neighbourhood attach special importance to the Manicknagar Ghât Road, which leads to an ancient ghât held in great sanctity by the people and largely used by them, specially on Hindu bathing days and on occasions of other Hindu ceremonials?

The Hon'ble MR. SHIRRES replied:—

"Sir,—The following are the replies to the questions asked by the Hon'ble Member:—

(*a*) A copy of the letter containing the orders of the late Sir John Woodburn has been laid on the table. The legal opinion referred to was given on an unofficial reference and forms part of a succession of office notes. It is not usual to lay such papers on the table, and the Lieutenant-Governor sees no reason to depart from the usual procedure in the present case.

(*b*) In the letter referred to Messrs. Duff & Co. said that the closing of one of these roads, preferably the Manicknagar Ghât Road, would enable the Company to lay out a more complete compound, but the offer which Messrs. Duff & Co. made related only to the Manicknagar Ghât Road.

(*c*) The answer to this question is in the affirmative.

(*d*) It is reported that people of Bhadreswar do not attach more importance to the Manicknagar Ghât than to the neighbouring ghâts known as Paikpara Ghât and Mukdam Baksh's Ghât which are equally used by the people on Hindu bathing days and on occasions of Hindu ceremonials. It is also said that no special importance attaches to the Manicknagar Ghât Road by the reason of the fact that it leads to Manicknagar Ghât."

Letter referred to in the above answer.

No. 60T.-M., dated Calcutta, the 30th April, 1900.

From—H. L. STEPHENSON, ESQ., I.C.S., Under-Secretary to the Government of Bengal, Municipal Department,

To—The Commissioner of the Burdwan Division.

WITH reference to the correspondence ending with your letter No. 298M., dated the 10th—17th April, 1900, I am directed to say that, under section 63 of

[*Babu Bhupendra Nath Basu; Mr. Carnduff; Mr. Inglis.*]

the Bengal Municipal Act, 1884, Government confirms the order of the Magistrate of Hooghly, dated the 1st March, 1900, suspending as being in excess of their powers the execution of the resolution of the Commissioners of the Bhadreswar Municipality, passed at their special meeting held on the 11th February, 1900, with reference to the petition of Messrs. T. Duff & Co., regarding the diversion of the Manicknagar Ghât Road, and directs that the said orders continue in force without modification permanently.

THE CASE OF ARZOON KHAN.

The Hon'ble Babu Bhupendra Nath Basu asked:—

(*a*) Has the attention of the Government been drawn to a paragraph that appeared in the *Amrita Bazar Patrika*, dated 28th February, 1905, in which Mr. Carey, the District Magistrate of Hooghly, is said to have called for of his own accord the records of the case of one Arzoon Khan, an under-trial prisoner, from the Joint-Magistrate of Serampore, and decided the same himself and made the complainant, one Nassir, pay Rs. 18 for the expenses of the accused?

(*b*) Does the Government think the aforesaid action of the District Magistrate is justified?

The Hon'ble Mr. Carnduff replied:—

"Sir: The facts appear to be these. Arzoon Khan was a youth who, having been induced to come to Hooghly from Peshawar by his former master, the person referred to as Nassir, desired to return and applied to Nassir for money to enable him to do so. The application was refused; and thereupon Arzoon stole the property of a third person, bought a railway ticket and went to Peshawar, whence he was brought back under arrest on a warrant issued at the instance of the owner of the property stolen. The District Magistrate ascertained these facts in the course of an official visit to the jail, withdrew the case, which he thought a particularly hard one, from the file of the Joint-Magistrate to his own, and, after convicting the accused, verbally directed, not the complainant, as the Hon'ble Member thinks, but Nassir, whom he regarded as responsible for all that had happened, to pay the accused's expenses home. This direction, which was not a judicial order and could not have been enforced, was promptly complied with.

"Under the law, a District Magistrate is competent to transfer, if he thinks fit, any case to his own file from that of a Subordinate Magistrate, and it is not for the Government to consider whether or not Mr. Carey exercised his discretion properly in this instance. For the rest, the Lieutenant-Governor thinks that Mr. Carey's action, though hardly discreet, was obviously prompted by the best of motives, and His Honour observes that the man Nassir apparently acquiesced in Mr. Carey's view of his duty to the boy."

THE CHANNEL THROUGH THE *BIL* BETWEEN THE MADHUMATI AND KUMAR RIVERS.

The Hon'ble Babu Bhupendra Nath Basu asked:—

Will the Government be pleased to lay on the table a report of the work done during the last five years, with the amount of money spent in each year, in connection with the opening of the *Bil* route between the *Madhumati* and the *Kumar* in the district of Faridpur, and state in how many years more the work is likely to be completed, and also whether it is intended to make the canal under construction navigable in all seasons of the year?

The Hon'ble Mr. Inglis replied:—

"Sir: Work was commenced on a channel through the *Bil* between the Madhumati and Kumar rivers in March, 1900. Each year since then the channel has been improved during the dry season. A little over eleven lakhs of rupees have been spent in all. The channel is now effective for steamers and boats at the season when the rivers are high. It is intended to deepen the

[*Mr. Inglis; Babu Bhupendra Nath Basu; Mr. Carnduff.*]

channel so that it may be effective throughout the year. This may probably take three years to carry out, as it is necessary to procure from England dredging plant of a special design."

THE MOHSIN FUNDS.

The Hon'ble BABU BHUPENDRA NATH BASU asked :—

(*a*) Will the Government be pleased to lay on the table a statement shewing the distribution of the Mohsin Funds under the following heads :—

(*i*) Allotments for Madrassa education (the expenditure of each Madrassa being shown separately).

(*ii*) Allotments for College education, including Collegiate schools.

(*iii*) Allotments for making up the short-fees allowed to the Muhammadan students in Government and private schools.

(*iv*) Allotments for salaries of the Persian teachers and the Arabic Professors employed in Government and private schools and colleges.

(*b*) Will the Government be pleased to frame rules prohibiting the indiscriminate award of the Mohsin Fund aids to Muhammadan students, rich or poor, meritorious or otherwise, and providing for a more judicious distribution, so that only deserving poor Moslem students may receive the benefit of the Fund?

The Hon'ble MR. CARNDUFF replied :—

"Sir,—I lay on the table a statement giving the information asked for by the Hon'ble Member.

"Allotments from the Fund are placed at the disposal of the Principals of Colleges, the Head Masters of Schools or the Secretaries of Associations managing Muhammadan educational institutions, as the case may be, and to these authorities is left the distribution of aid towards the education of deserving, but poor, Muhammadan youths. No instances of the injudicious application of the moneys so distributed have come to the notice of the Director of Public Instruction or the Government of Bengal."

Statement referred to in the above answer.

HEAD OF CHARGES.	BUDGET ESTIMATES FOR— 1902-1903. Rs.	1903-1904. Rs.	1904-1905. Rs.
(1) Allotments for Madrasahs— Managed by Government—			
(*i*) Hooghly Madrasah ...	5,068	5,408	5,408
(*ii*) Dacca ,, ...	13,898	14,438	16,250
(*iii*) Chittagong ,, ...	10,604	10,800	11,212
(*iv*) Rajshahi ,, ...	3,416	3,416	3,562
Total for Government Madrasahs ...	32,986(*a*)	34,062(*b*)	36,432(*c*)
Sylhet and other unaided Madrasahs...	2,200	2,238	2,018
(2) Allotments for college education, including collegiate schools (scholarships) ...	8,622	8,622	8,622
(3) Allotments for making up the short fees allowed to the Muhammadan students in Government and private schools* ...	13,350	13,250	10,150
(4) Allotments for salaries of the Persian Teachers and the Arabic Professors employed in Government and private schools and colleges	...	...	...
(5) Miscellaneous	200	...	...

(*a*) Exclusive of the increase made by Government of Rs. 90 for the pay of a teacher in Chittagong Madrasah.
(*b*) In sanctioning the budget, Government passed Rs. 32,000, including miscellaneous charges.
(*c*) Exclusive of the increase made by Government of Rs. 350 for Sitapur Madrasah and for miscellaneous charges.

* Short fees in Colleges—

	Rs.
1902-03	5,970
1903-04	6,500
1904-05	5,600

Short fees are no longer to be debited to the Mohsin Fund on account of Government Colleges in accordance with the orders of the Accountant-General, Bengal, No. 830T.-M., dated 5th December, 1878.

[*Babu Bhupendra Nath Basu ; Mr. Carnduff.*]

WAKF ESTATES.

The Hon'ble BABU BHUPENDRA NATH BASU asked :—

(*a*) Is the Government aware of a widespread feeling of dissatisfaction and uneasiness amongst the Muhammadans of Bengal, owing to the danger with which their religious, charitable and educational institutions have been threatened by the recent Privy Council and High Court rulings on the subject of *wakfs* ?

(*b*) Is the Government aware that in many instances Mutwallees are treating *wakf* properties as personal properties to the great projudice of *wakf* institutions, and that monies have been raised in a large number of cases on the security of *wakf* estates ?

(*c*) Is the Government aware that numerous educational institutions, such as Madrassas and Mukhtabs, which were the principal means of imparting primary education to Muhammadan boys and were maintained out of the income of *wakf* estates, are now falling into decay or being abolished ?

(*d*) In view of the circumstances above referred to, and having regard to the backward condition of education amongst the Muhammadans and the solicitude which the Government has always been pleased to show towards the Muhammadan community in matters of Education, will the Government be pleased to appoint a Committee, consisting of a European President and two Muhammadan members, for the purpose of making the following inquiries, *viz.*—

(*i*) to ascertain the extent to which the recent rulings of the Privy Council and the High Court have affected Muhammadan educational institutions ;

(*ii*) to ascertain what funds are still available for these institutions ;

(*iii*) to consider whether a special officer of the Education Department should not be deputed to inspect and supervise the Madrassas and Mukhtabs now being maintained out of what are unquestionably *wakf* funds and not falling within the scope of the rulings above referred to ; and

(*iv*) to consider if any special legislation is necessary to protect and preserve such funds and carry out the objects of the original endowments.

The Hon'ble MR. CARNDUFF replied :—

"Sir,—In 1894, and again in 1899, the Government was approached by the Central Muhammadan Association on the subject of the judicial rulings referred to by the Hon'ble Member. On each occasion the memorial submitted was considered by both the Government of India and the Government of Bengal, and on the second the Association was informed that a proposal for the settlement in perpetuity of Muhammadan property under the name of *wakf* could not be favourably entertained. The highest judicial authority, namely, the Privy Council, has held that Muhammadan law itself does not countenance the extension of the doctrine of *wakf* so as to admit of the creation of such perpetuities; and an alteration of the law which would enable every Muhammadan to settle his property in the manner proposed would be contrary to the general policy of the Government and, in the opinion of the Government, unsuited to the conditions of the country. The Settled Estates Act, which was passed by this Council two years ago, goes as far in the direction of providing for family settlements as is thought safe.

"By the receipt of the two memorials mentioned above the Government of Bengal has been made aware that it is contended among Muhammadans that the decisions of the High Court and the Privy Council are not in consonance with the Muhammadan law. But the Lieutenant-Governor has perceived no other indication of the existence of the widespread feeling of dissatisfaction and uneasiness, or of the disastrous consequences, alluded to by the Hon'ble Member; and, in the circumstances, His Honour is not prepared to take any such action as is now suggested."

[*Babu Bhupendra Nath Basu; Mr. Carlyle; Babu Ambika Charan Mazumdar; Mr. Shirres.*]

SUB-DEPUTY COLLECTORS.

The Hon'ble BABU BHUPENDRA NATH BASU asked:—

Will the Government be pleased to state what has been done to improve the prospects of Sub-Deputy Collectors for whom a sum of Rs. 70,000 was provided for in the Budget for the current official year?

The Hon'ble MR. CARLYLE replied:—

"Sir,—A letter was received this month from the Government of India sanctioning the following alterations in the Subordinate Civil Service:—

1. The total number of Sub-Deputy Collectors has been increased from 104 to 225.

2. The service has been graded so as to provide regular promotions from grade to grade.

3. A new grade, consisting of 11 appointments on Rs. 250, has been created, which will enable Government to reward the services of Sub-Deputy Collectors who have worked satisfactorily, but who are not fit for promotion to the Provincial Service.

4. Sub-Deputy Collectors are to be allowed to count temporary services towards leave and pension from the date on which the three following conditions are fulfilled:—

(1) Two years' continuous temporary service as Sub-Deputy Collector.

(2) The passing of departmental examinations.

(3) The attainment of the age of 20 years."

CIVIL SURGEONCIES FOR ASSISTANT SURGEONS.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR asked:—

Will the Government be pleased to state whether it is a fact, as stated in the *Bengalee* of the 18th March, 1905, that, although the Government of India, Home Department Resolution Nos. 1084-93, dated the 22nd June, 1899, distinctly laid down that seven Civil Surgeoncies should be reserved for Assistant Surgeons, only four such appointments have actually been granted to them since 1898, and that thus, not only has the Government of India Resolution Nos. 1141-50, dated the 22nd August, 1898, which provided for five such reserved appointments, been not fully carried out, but that the Resolution of 1899, above referred to, has been practically ignored?

If the above facts be correct, will the Government be further pleased to state when the remaining three appointments are likely to be thrown open to Assistant Surgeons?

The Hon'ble MR. SHIRRES replied:—

"Sir,—In the Resolution of the Government of India, No. 1084-93, dated the 22nd June, 1899, it was laid down that seven Civil Surgeoncies in Bengal should be reserved to Civil Assistant Surgeons. It was however at the same time stated that the complete arrangement could not be made at once, but that as occasion offered the districts would be placed in charge of Civil Assistant Surgeons until the maximum number was reached. The appointments which will ultimately be given to Civil Assistant Surgeons are at present held by Uncovenanted Medical Officers, and cannot be given until those officers retire from Government service. There are six Uncovenanted Medical Officers holding districts in Bengal, of whom one will attain the age of 55 years in October, 1910, one in September, 1913, one in February, 1915, two in 1917 and one in 1923. Some of the vacancies which occur must however be given to Military Assistant Surgeons for whom appointments must also, under the orders of the Government of India, be reserved. It is improbable therefore that the remaining three appointments will be thrown open to Assistant Surgeons for some years."

[*Babu Ambika Charan Mazumdar; Mr. Shirres; Raja Ban Behari Kapur.*]

THE SAMBHU NATH PANDIT HOSPITAL.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR asked:—

(*a*) Has the attention of the Government been called to a series of articles which appeared in the *Hitabadi* newspaper of the 4th, 11th, 18th and 25th November, the 2nd and 16th December, 1904, and the 27th January, 1905, alleging serious mismanagement of the Sambhu Nath Pandit Hospital at Bhowanipur and bringing forward grave charges against the Resident Surgeon attached to the said hospital? Will the Government be pleased to inquire whether the complaints and allegations made by the nurses, matrons and patients of the hospital, as reported in the said paper of the 4th, 18th and 25th November, the 2nd December, 1904, and the 27th January, 1905, have any foundation in fact? And, if so, what action has been taken on them by the Inspector-General of Civil Hospitals?

(*b*) Will the Government, in view of the importance of this hospital and in the interest of the public, be further pleased to place the institution on an efficient and satisfactory basis so as to make it thoroughly popular among the subarban population?

The Hon'ble MR. SHIRRES replied:—

"Sir,—In the first half of December the fact that certain statements had been made and repeated regarding the Resident Surgeon of the Sambhu Nath Pundit Hospital at Bhowanipur attracted the notice of Government. It was ascertained that the allegations in question were either wholly unfounded or grossly exaggerated. The Resident Surgeon was specially recommended for the appointment by Major Bird, who was thoroughly satisfied with his work as Resident Surgeon, and Major Harold Browne, who has succeeded Major Bird, is equally well satisfied. The Lieutenant-Governor does not consider it necessary to direct any further enquiry to be made into the matter.

"With reference to the latter part of the question, the following figures show that the popularity of the institution is not declining. The number of indoor patients in each of the five years beginning with 1900 and ending with 1904 was 1,135, 1,225, 1,269, 1,183, and 1,757; the number of outdoor patients was 18,973, 18,978, 19,767, 19,833 and 22,981; and the number of operations was 2,207, 2,449, 2,336, 2,609, and 3,648. The hospital is doing excellent work; and its increasing popularity is manifest."

THE BENGAL FINANCIAL STATEMENT FOR 1905-1906.

The Hon'ble RAJA BAHARI KAPUR said:—"Your Honour, the financial year which closes to-day has been a most extraordinary year. At the commencement we had a very good rainfall which induced most cultivators to bring a larger area than usual under cultivation. The crops throve well and were full of promise, but from the close of September there was no rain to speak of in many places, and for want of rain in October the greater portion of the standing crop withered away. Wherever water was available for the purpose of irrigation, both tenants and zamindars availed themselves of it for saving as much crop as possible, but in many places the crop was destroyed, and where it was partly saved the paddy was husky, *i.e.*, the number of barren grains was very large. Out of about 240 paddy grains ordinarily contained in a stalk of paddy no less than 40 were mere husks. In many fields the tenant did not care to harvest the paddy at all, as he did not think it worth his labour to bring home the stunted stalks that would make bad straw. This was very disappointing to both tenants and zamindars who had to clear up all arrears with the help of full crops. Then again, Sir, we had a most unusually cold weather, and cold-weather crops were more or less blighted by frost, and that is why some short collection was made in February last as mentioned by the Hon'ble the Financial Secretary.

[*Raja Ban Behari Kapur.*]

"Bearing all these facts in mind the Budget Statement which is before the Council must be pronounced to be excellent, and I must therefore congratulate Your Honour and the Financial Secretary on such a good Budget even in a year of short crops and deficient collection. The Budget is clear and simple, and at the same time it supplies all the details required to make a Budget comprehensive. It is very fortunate that we live in a province which can so far stand short yield and partial scarcity as to enable its Ruler to pass an average Prosperity Budget.

"I have no desire to take the time of the Council by discussing the Budget allotments in detail as I do not think it at all necessary.

"I should, Sir, however, like very much to know whether the special grant of Rs. 12,00,000, made by the Imperial Government for the improvement of the subordinate staff of the Police Force, would be sufficient to carry out the three objects to which His Excellency the Viceroy has been pleased to give preference, namely, the re-organization of the Military Police Force of the Province, the increase of pay to the constables and head constables and the re-organization of the Sub-Inspectorships. I should be very glad to know if the sum required by your Government for these classes of policemen can be easily supplied, and how much of it will be met from the special grant. If it falls short by a reasonable sum and if it can be met from our savings in any way, I venture to suggest that the required amount be made available from the provincial funds. In previous years a certain sum was successively provided for in the Budget for this very object; but as the Resolution on the Police Commission report was not out and the decision of the Government of India was not known, your Government was unable to use the amount for the purpose.

"I should like to say a few words about the hospitals for paying patients. It is most gratifying to find that a sum of Rs. 2,00,000 has been provided for the construction of 'paying patients' block' in the General Hospital. This, Sir, I am sure would remove a great want in this ever-increasing metropolis. In this connection, Sir, I beg leave to suggest that next year a certain sum may be made available for the construction of a 'paying patients' hospital' for Indian middle class gentlemen. I need hardly assure Your Honour that there is actually a great need for some such hospital. The hospital should be built and equipped in the modern style. There are the Mayo Hospital and a few others, but they do not, I have been informed, meet the requirements of the people nor are they sufficient for the ever-increasing demand. Of course it is known to Your Honour that those who utilize these hospital beds are mostly Mufassal patients who come to Calcutta for treatment and cannot afford to take a house and pay for the best medical aid. Most of these people who want to be accommodated in the hospitals cannot get in owing to the limited number of proper hospitals.

"In this connection I must be excused for mentioning that there is some accommodation in the Medical College Hospital and the Campbell Hospital, but patients, I am informed, do not care to go in there if they can help it. The reason ascribed is this:—Both these places are rather teaching institutions than hospitals. The treatment of diseases is utilised for the purposes of instruction, and difficult and complicated cases serve to illustrate text-books and lectures in a manner extremely distasteful to the patients. I have nothing to urge against the working of these most useful hospitals, but I say that the remarks on the nature of diagnosis and prognoses of cases made by the Professors for the benefit of their pupils often prove painful, if not injurious, to the English-knowing patients. For this reason the indoor patients' wards in these two places are not very popular among educated people. Therefore I humbly request Your Honour that if funds be available, Your Honour might be pleased to have a separate 'paying patients' block' built for Indian patients. This, I am sure, Sir, will meet a real want.

"We have a provision of Rs. 70,000 under head 'Medical' for meeting the expenses during the prevalence of plague. The way the plague is increasing and spreading in many districts in Bengal, and is, I am afraid, Sir, likely

to affect the whole country, I think a certain additional sum of money should be set apart to enable us to fight the enemy all along its line of march.

"Lastly, Sir, I wish to bring to the notice of Your Honour and the Hon'ble Members of this Council that we should be prepared to meet the partial scarcity which we are going to have for the short crop and failure of crops in some places, especially in parts of the districts of Burdwan and Bankura, though the District Boards now pay for the charitable relief and find funds to provide work for the relief of the people and though they are prepared to spend as much as they can on this most necessary head, yet, Sir, funds at their disposal being of a limited character, should be supplemented from the provincial grants to enable them to carry out most useful works at times. Therefore, Sir, I venture to propose that a certain sum out of the surplus might, with advantage, be set apart to help the most needy districts. It is not my intention to start a scarcity in any way, I am only advocating that if it exists and Your Honour is satisfied that help is needed, we should have sufficient funds to proffer help to the districts that are in need of such help from the Government."

The Hon'ble Asif Kadr Saiyid Wasif Ali Mirza, of Murshidabad, said:—"I do not profess to claim any special knowledge of matters financial; still, with Your Honour's permission, I beg to offer a few remarks regarding the Financial Statement for the year 1905-06.

"I desire, in the first place, to offer my sincere congratulations to the Government for what I may call the prosperity budget of the year to come. The closing balance of the current year, being Rs. 1,24,86,000, represents the opening balance of the next year, 1905-06. From different sources, the budget estimate contemplates receipts aggregating Rs. 5,64,33,000; and out of the total amount of Rs. 6,89,19,000, it is proposed to spend Rs. 6,66,70,000, leaving a closing balance of Rs. 82,49,000. I feel grateful and highly appreciate the laudable desire of the Government to spend not only the whole of the expected revenue from different sources during the year, but also a further sum of Rs. 42,37,000 out of the opening balance. This generous intention, I have no doubt, will be duly appreciated by the public.

"A study of the different items of expenditure, as provided in the budget, ought undoubtedly to convince any one, as it has convinced me, of the anxiety which has been shown in taking into consideration all the matters which fall within the scope of administration. Very great care has been taken to make allotments proportionate to the magnitude and importance of the works. I should like to make a few observations with regard to some items of expenditure.

"It is an admitted fact that great ravages are being caused by Malaria, and I venture to think that there would be no violation of truth, if I say that Malaria is annually taking away a larger number of lives than the plague. Malaria has got a firm footing in many districts of Bengal, and it is highly desirable that Government should adopt more effective measures for stamping out Malaria. I am fully alive to the fact that Government has caused enquiries to be made from time to time by experts and specialists at considerable expense. The preventive and remedial measures which have been adopted by Government do not, in my humble opinion, appear to have been sufficient or adequate. The drainage scheme might be successful to a certain extent in riparian areas; but there can hardly be one uniform method for combating with Malaria in different districts of the Province. In my humble opinion, larger amounts ought to be allotted for this purpose and greater attention to be paid to this most important matter than what has been given to it. It is not for me to make any suggestions for improving the sanitation and for coping successfully with Malaria, as I am no expert; but in tracts of lands, urban or suburban, fallow or cultivated, I see swamps, marshes, cesspools, stagnant water-sheets, jungles, filth of all sorts, and water, used for drinking, of the most impure nature, I naturally think that Malaria is attributable to all these things and that Government should take the people into its confidence and ask them to co-operate with it for eradicating Malaria from Bengal.

[*Asif Kadr Saiyid Wasif Ali Mirza*; *Mr. Chaudhuri.*]

"I am very glad to find that Government has taken into consideration the just claim of some ministerial officers whose pay ought to be increased. The establishment of the Munsifs is very weak. It is undermanned and the officers are ill-paid. It is to be regretted that though a sum of four lakhs of rupees were provided for the improvement of salaries of the ministerial officers, the amount was not spent and has been shown as a saving, owing to the failure to obtain sanction of the schemes before the close of the year. I hope and trust that the officers concerned would get the well-deserved though long deferred increase in the beginning of the year."

The Hon'ble MR. CHAUDHURI said:—"Sir, the first point to which I desire to draw attention is as to the New System of Financial Settlement that has been arrived at between our Provincial Government and the Government of India since last year. While it marks in some respects an improvement over the system of Quinquennial Contracts between the Provincial and Imperial Governments, which it has superseded, yet I doubt very much whether it has conferred on us any substantial boon. No doubt, under the new system, we are, in theory, entitled to the advantages of any future expansion of our Provincial Revenue.

"But at the settlement the prospective expansions were so carefully sliced off by reducing our provincial shares that but for the ever-expanding Stamp and Excise revenues, any prospects of improvement in our Provincial finance would be very poor indeed. It gives me a very painful feeling, as it must do to every one who has any feeling for this country, to see the Provincial and Imperial surpluses swelled by the sale of either justice or of liquor. The expansions either in the current or the next year, which may be put down roundly at 5½ lakhs and 6¼ lakhs respectively, are chiefly attributable to expansion in the Stamp and Excise revenues. Of Stamps, the court-fees contribute to the bulk of the expansion. Even those, who ought to know better, often believe and say that this gain to Government proceeds from an innate love of the people for litigation or from a natural rise in their prosperity. But either of these suppositions can be shown from facts and figures to be unfounded. Taking the English and Indian figures ten years back, the English figures show that one in every twenty-four persons is involved in some sort of litigation, while in India, it is about one in every 140. This does not show that the Indians are inordinately fond of litigation.

"But I do not deny that litigation has been on the increase in this country. Referring to the figures for 1903, which was a record year for litigation for those Provinces, the ratio between law suits to population may be put down to one in 110 roughly. Of this increase in litigation the rent-suits may be said to contribute the bulk, and 99 *per cent.* of such suits are for arrears of rent. This negatives the theory of prosperity. Money and title suits do not show any abnormal rise in numbers. Of late years some very heavy title suits came to be instituted. Both this and the extraordinary rise in rent-suits have contributed to an increase in Stamp revenue. Anyhow, this is not a matter for national congratulation, and in that view I cannot regard a rise in the Stamp revenue from litigation as a sound basis of finance.

"In 1903 the net surplus to Government from civil litigation in these Provinces was Rs. 56,36,566. I have not been able to obtain the exact figures for the last year, but I may presume from the financial statement that the gains from such source in 1904 have been even larger. Sir Edward Law admitted the economic soundness of the principle that no profit ought to be made out of administration of justice, but yet tried to find arguments in justification of retaining the surplus. His arguments stand self-condemned, and I have no desire to deal with them here. As it is, the scale of court-fees in this country is higher than it is in any of the Continental countries of Europe and is almost the same as in the United Kingdom. In England the standard of wealth is much higher, the judiciary both of the superior and inferior ranks are much more highly paid and so are also the ministerial and other officers. The net financial result of the receipts and disbursements on account of litigation in

England is a deficit, and not a surplus. But in India, and Bengal specially, if the administration of justice continues to yield such enormous surpluses, a time will come when the scale of court-fees will require a revision.

"We are very thankful to Government for giving us an Additional High Court Judge, and some Short-hand Writers on the Original Side; for the proposed additions to the High Court buildings, for the increase in the staff of the Subordinate Executive and Judicial Services, and for the provision made for housing the Munsifs and for the diet money and travelling expenses of witnesses, for allowances to Jurors and Assessors and for the proposal of improving the pay and prospects of Ministerial Officers; but all these will make little difference to the ever-increasing surplus from litigation. A time will come when relief must be given to a people who are being ruined from the costs of litigation. Contemplating such a contingency I cannot regard the surpluses accruing from such sources either as economically sound or morally justifiable. As for any prospective expansion of revenue from Excise on liquor and drugs, the less said the better. Under the $\frac{1}{2}$ and $\frac{7}{16}$ share assigned to us under Stamps and Excise revenues, respectively, our Provincial revenues cannot go on swelling ind efinitely, nor is it desirable that it should do so. As for the prospects of expansion under other heads of revenue, they are very remote.

"The solid foundation of our Provincial revenue lies, however, in the land. But land is mostly permanently settled in these Provinces and that is by no means a matter of regret to any class or community. That Settlement serves as a sort of permanent Famine Insurance to our people. The revenue to the Government never fails, and it is the tillers of the soil who get the real benefit of their labour.

"In the Lower Provinces of Bengal, where the crops are not shared between the landlord and the tenant, the former's prospect of any unearned increment is very small and very remote indeed under the present conditions of the Tenancy Law, and the law need not be made unnecessarily stringent. For instance, out of every *bigha* of jute-growing land the tenant can get from Rs. 50 to Rs. 100 a year, and the landlord would thank himself if he can get Rs. 2 out of it as annual rent. Pieces of land yielding more crops than one often carry much lower rent *per bigha* under the Bengal zamindars. Among the many blessings of the Permanent Settlement not the least is, that the Government has never to remit any land revenue and has seldom to launch into schemes of famine relief on any extensive scale. Land is also not very lightly taxed in Bengal, because the Road and the Public Works cesses, the Chaukidari and the Dák taxes all ultimately fall on land. It furnishes all the same the most solid and the most substantial source of revenue in these Provinces from year's end to year's end.

"The Government of India have no just cause of grievance against our land revenue system, especially having regard to the fact that even in the present year of their unprecedented surpluses, they are obliged to budget for a decrease under the general head of land revenue which must refer to other Provinces. But if the Government of India have no real grievance against us on this account, we regret that we cannot say as much of them. The Government of India have for some time past been appropriating three-fourths of our land revenue. The result is, as I have shown, that we have to fall back on such suicidal sources of revenue as Stamp and Excise for our Provincial surpluses. No doubt the Government of India is now giving us liberal doles. But there may be many urgent matters of purely Provincial concern, such as sanitation, water-supply, etc., for which work may have to be undertaken on a large scale and recurring expenditure incurred, but in such matters the Government of India, from a distance, may not feel as strongly as we do.

"In the present state of our finances the Government of Bengal is greatly handicapped in taking any initiative, even in matters which mean life and death to the people of this Province. The present system of granting doles

may be said to be conducive to the bringing of our Local Government to a state of complete financial and administrative subserviency to the Government of India. This Government would, however, be in a much stronger position if a more substantial share of its land revenue were made over to it and some other burdens now recognised as Imperial relieved from its shoulders. I shall indicate them in their appropriate places. The Financial Settlement between the Provincial and Imperial Governments was arrived at a time when the latter did not anticipate such unprecedented surpluses. A time may come, I dare say it will come before long, when the Government of India will be disposed to make a more liberal settlement with us, and in view of such contingency I have ventured to make the above suggestions.

"But apart from all such contingencies, I shall now deal with questions which have long been neglected. It is almost during my lifetime that Bengal has become the hotbed of deadly epidemic diseases. Within my personal recollection many flourishing towns and many more prosperous and thriving villages, nay, almost the whole of rural Bengal, have fallen into the clutches of death. One cannot always rely on personal impressions in such matters. But the last Census Report shows that the normal growth of population in Bengal has got arrested. Even in Bihar, ordinarily considered as one of the healthiest parts of these Provinces, the last Census Report records a woeful tale. In the Patna Division, five out of the seven districts—Patna, Gaya, Shahabad, Saran, Champaran—(with the exception of Muzaffarpur and Darbhanga) all show a decline of popluation. On the top of that, plague has taken a firm hold of these parts and has been doing havoc even in exceptionally healthy districts of Bihar. At the early stage of this unpleasant visitor, Government shared the general scare and seemed disposed to spend some money. But since 1902-03, although the annual death stood at 62,055, the Government spent only Rs. 72,687 out of the Provincial funds on this account which was almost half of what was spent in the previous year and even less than a fourth of what was spent in 1900-01. During 1903-04, although an allotment of Rs. 3,70,000 was made on this account, only Rs. 60,265 was spent out of the Provincial funds and a saving effected of the balance, although the mortality remained almost the same as in the previous year. The Calcutta Corporation had to spend much more during the last three years than was spent out of Provincial funds by Government during the same period.

"The expenditure on this account has, however, been incurred by Government as well as by the Corporation, more in the interest of foreign trade and commerce than out of any concern for the people. This is shown by the fact that although some of the districts in Bihar, such as Saran, have suffered the most, the expenditure there has not been at all proportionate. But as for matters affecting Bihar, I may safely leave them in the able hands of the Hon'ble Babu Saligram Singh. I must admit, however, that plague is not to the same extent a preventible disease as many other epidemic diseases, and any very large expenditure on its account out of the Provincial funds will perhaps not be justifiable. But it may well be assumed all the same that with general sanitary improvements this epidemic disease will also abate in vigour. So I must make known our gratitude for the assignment in the next year's Budget estimate, of Rs. 1,50,000 for water-supply, hospital and drainage, to the Riparian Municipalities—Monghyr, Barisal and Berhampore—and a further grant of Rs. 3,60,000 for water-supply, drainage and for special work to Municipalities, such as Bhagalpur, Rampur Boalia and Rangpur. Let us hope that these grants will be fully and effectively spent and no portion of it will be carried forward to swell the surplus of next year. Such grants would have been impossible but for the lump grant of 50 lakhs made to us at the Financial Settlement with the Government of India last year. It is a matter of satisfaction to us that a portion of the 20½ lakhs that are going to be spent out of it durng the next year will be spent for such good purposes.

"But such local or spasmodic expenditure will not make any impression on the malarial fever and cholera which are year after year doing greater havoc amongst

our rural population in Bengal. The Hon'ble the Municipal Secretary at my instance supplied figures to this Council, on the 11th of February last, which showed that between 1900 and 1904, fever alone had carried away, roughly speaking, from 160,000 to 170,000 souls annually during each of the last four years from these Provinces. If this does not rouse our moral responsiblity in respect of rural Bengal, I do not know what will. I have said that a normal rise in the population in Bengal has got arrested. Nay more. What were some of the fairest and most flourishing districts in Bengal when the British Government took over charge of these Provinces, have now been laid desolate by fever and cholera and that within recent years. Nator, Nadia, Murshidabad, Jessore, Dinajpur record fearful mortality from fever. Burdwan has had more than its due share in this general holocaust. I had recent occasion to inquire of our Municipal Secretary as to how some of the districts and important towns, which had shown a decline of popluation at the last Census, have been faring during the last four years. The Hon'ble Mr. Shirres laid a tabular statement on the table which has aroused widespread alarm throughout the Province and beyond. The *Pioneer*, which cannot be said to share any local predilection or prejudices, was also shocked at the figures and described malarial fever as a greater scourge than plague. The Sanitary Commissioner to the Government of India in his recent report said, a regular campaign should be commenced against malarial fever, and the *Pioneer* endorsing his views urged that the campaign should not be confined to jail centres, but carried to the villages in the interior of Bengal. It is a fact that rural Bengal suffers more from this pestilence than big towns in Bengal.

"Thanks to Local Self-Government, in Calcutta and in the head-quarters of districts this type of fever is kept under greater control than in the interior. For instance Calcutta, through sustained efforts for a number of years in the past for the improvement of its drainage and water-supply, has come to record almost the lowest figures from this cause compared to the mufassal towns or rural areas. Taking now some of the districts which are the worst sufferers from cholera and malarial fever, the figures disclose that the fever mortality in the head-quarters is much less than in rural areas. For instance, the town of Jessore which was formerly, perhaps, one of the most unhealthy spots in Bengal, shows in 1904 a death-rate of only 18·3 *per mille*, while the district of Jessore shows 42·46 *per mille* in the same year. The district of Nadia, which was considered as one of the healthiest districts of Bengal, is now unfortunately a greater sufferer from cholera and malarial fever than even Jessore. Still, there too the difference in the rate of town and rural mortality is also marked. While the mortality in this district was 50·09, 40·73, and 39·80 *per mille* in each of the years 1902, 1903 and 1904, the corresponding mortality in Krishnagar town was 37·43, 28·80 and 27 *per mille*.

"But even the district of Nadia is not the worst sufferer in this respect. So far as fever mortality goes, Dinajpur has recently beaten Nadia, and Murshidabad and Chittagong are fresh rivals in the field. Portions of the Rajshahi district which had heretofore escaped notice, disclose also an appalling state of mortality. Nator was a flourishing town at the beginning of the British rule, and its neighbourhood up and down the river Baral was studded with flourishing markets and villages; and it is within my personal knowledge that they are being laid desolate by these fell diseases. I had occasion to visit the Sub-division of Nator only recently, that is, towards the end of the last year, as a member of a Joint-Committee of the District Boards of Pabna and Rajshahi in connection with a drainage scheme. A fearful epidemic of cholera was raging amongst the rural population at the time, and on the top of that I saw the mark of malaria writ large on many a face and physique. But I was loth to go by personal impressions. So, early this month when I inquired about the state of mortality since the last Census in that Sub-division, the figures furnished disclosed that the decline in population in the Sub-division had been more than maintained and that the average rate of mortality had exceeded 40 *per mille* in each of the years 1901, 1902 and 1903, till it reached a climax in the last year when it closed with the unprecedented figure 55·77 *per mille*. The Nator Sub-division and the adjoining portion of the Pabna district, of which

I am an inhabitant, are subject to the same conditions of drainage and water-supply, and I can say from personal experience that the same diseases have laid waste many flourishing villages and markets in the Pabna district.

"I believe I have now furnished sufficient facts and figures selected from wide areas, to convince the Government of the urgent necessity of adopting adequate measures for arresting the shocking state of suffering and mortality amongst the rural population of Bengal. I have laid stress on the facts and figures of the Nadia, Jessore, Rajshahi, and Pabna districts, because I am more intimately acquainted with them. I may mention in passing that the rural areas of the 24-Parganas, Khulna, Hooghly, Burdwan, Murshidabad, Dinajpur, Rangpur, Jalpaiguri, Purnea, Faridpur, and Chittagong are by no means better off. I have shown that towns under Municipal Government and enjoying facilities in respect of good drinking-water and drainage are comparatively immune from malarial fever of a virulent type. The scourge being confined chiefly to rural areas, it is clearly the duty of the Provincial Government to provide the remedy. The remedial measures that I would venture to suggest in this connection relate more specially to the districts with which I am more intimately acquainted, but, I dare say, the principles underlying them will be applicable to all. The supply of good drinking-water and the restoration of natural drainage is the only remedy that can prevent human mortality in rural areas. Much may be done by the restoration of the river system of Bengal, which is not yet past all hopes.

"The river system of Bengal may be said to supply the life-blood of these Provinces. The Ganges may be compared to the main artery that flows through the heart of this Province, and its tributaries and offshoots go in no small degree to contribute to the health, wealth and vitality of these Provinces. It is to the obstruction of the natural flow of the Ganges and Padma water through the river system of Bengal, that the prevalence of malarial fever and cholera is directly to be attributed. I know, as a matter of fact, that this is the case with the Nator Sub-division and the district of Pabna. The supply of the Padma water in these parts has ceased within living memory resulting in the abnormal death-rate and general decline of population already referred to. Even now when we get an abundant supply of Padma water in our parts through the Baral during the three months of the rainy season, we are generally free from fever and other epidemic diseases. But directly the water level in the Padma falls below the sand-bars and shoals of recent formation at the sources of our rivers and the current of Padma water is no longer available for drinking purposes, epidemics of cholera and fever make their appearance and go on increasing in intensity as the drinking-water continues to get more and more foul.

"The same is the case in the districts of Murshidabad, Nadia, and Jessore. All these districts are drained by the offshoots of the same river. The unhealthiness of these districts is directly attributable to the cessation of a good flow of water through the Bhagirathi, Jalangi, Mathabhanga, Gorai, and other minor streams. It is a geographical fact that the more important villages in rural Bengal are situated on river sides, and to the pitiable condition of these rivers is to be attributed their present deplorable condition. It is not every country in the world which is blessed with such a magnificent system of rivers. Where they are, the Government devotes no small amount of care, trouble, and capital to preserve and maintain these boons of nature.

"The recent expenditure of capital in the Continental countries of Europe, Egypt, and America on river regulation work is too well-known to require any detailed enumeration here. A few typical instances will suffice:—

AUSTRIA spent £3,000,000 since 1901, over and above £20,000,000 spent during the last half century.

HUNGARY nearly £22,000,000 between 1876 and 1900.

[*Mr. Chaudhuri.*]

NETHERLANDS spent £11,542,777 on rivers during the last 30 years of the 19th century.

EVEN RUSSIA spent over ¾ of a million sterling in 1903 alone, in river survey and in the building and maintenance of Government dredgers.

"Both in the Continental countries and America either no tolls, or but very little, are levied on river traffic in spite of the heavy expenditure incurred on such accounts. The American view is, that what is spent by the State goes directly to add to the assets of the people in various ways.

"But let us see from our Provincial Budget Statement what we spend on such an important river as the Ganges on this account. Not even Rs. 50,000; the current year's revised figure puts it down at Rs. 48,000 and for the next year the budget estimate is Rs. 46,000. Under the head 'Nadia Rivers' Rs. 1,15,000 has been put down on the debit side, but on the credit side, Rs. 80,000 are budgeted for, and nearly Rs. 90,000 have been actually realised annually during each of the last three years. So in the net result we spend about Rs. 25,000 a year on account of the Nadia rivers.

"Last year there was a mention of a saving effected to the extent of Rs. 3,07,000 owing to the postponement of the project of buying a suction dredger; but in this year's budget any mention of even this dredger is not made. We would have lost all trace of it but for an allusion to it by the Hon'ble Mr. Inglis in reply to my hon'ble friend, Asif Kadr Saiyid Wasif Ali Mirza, in connection with the question of keeping open the channel of the Bhagirathi. The Hon'ble the Public Works Member was pleased to inform us that the dredger was still in suspense, awaiting sanction of the Government of India in connection with the Madaripur and Khulna scheme; that when sanction was obtained and the dredger landed, it would be taken away from its legitimate purpose and carried all the way from Khulna-Madaripur to the source of the Bhagirathi to remove 'the extensive shoals' at the entrance of the Bhagirathi.

"This is an assurance too absurd to soothe even the souls of laymen like us A number of river channels are being continually kept navigable by means of dredgers all over the world, and I thought that such matters had long since passed the experimental stage. That rivers if kept open would prove rivals to the railways, is also an old world notion, which is now dead and gone. On the contrary, such waterways do act as feeder lines to railways is beyond any dispute. Even when a railway runs parallel to a canal it attracts its traffic. When the railway lines intersect the waterways, as they do in Bengal, any improvement in the river traffic is sure to mean so much more revenue to the railways. I would refer the Hon'ble the Public Works Secretary to Major-General Cotton's opinion and to facts as they are in America and in the Continental countries of Europe.

"The gradual dying out of the Bengal rivers is not only disastrous to rural Bengal from the sanitary, but equally so from the economic, point of view. As a matter of fact the cultivators in the interior do not get any benefit out of their *rabi* crop When they reap this crop in summer the rivers are no longer navigable. The raiyat wants ready cash and cannot wait till the rivers are again in full flood during the rains. The result is, they part with their crops to the *mahajans* and middlemen for a trifle. The latter can well afford to wait till the monsoon flood, when the middleman sells oilseeds and such other staples, which they have gathered through the dry months of summer, to great advantage to himself. The margin of profit in such cases sticks mostly to the fingers of the middleman, and the poor raiyat

is none the better for it. The crop out of which the Bengal *raiyats* get the best fruits of their labour is the jute. And this to no small extent is due to the facilities of river transport to the nearest railways during the rainy season.

"I cannot believe that the Government is at all serious about the much-talked of Jute Bill. I need only say that if any such Bill be passed, it will mean incalculable mischief and oppression to the jute-growing *raiyat*, and the indigo raiyats will tell the Government that even the worm would sometimes turn.

"But apart from the economic importance of the Bengal rivers, their sanitary importance is enough to convince any enlightened Government of the supreme necessity of keeping up a current along them all through the year.

"The Bengal rivers also serve the purpose of so many main drains to the Province. The Hon'ble the Municipal Secretary referred to the connection between rainfall and epidemic diseases in reply to my questions. Rain-water is perhaps the purest water available on earth, and I do not suppose that the Hon'ble Mr. Shirres meant to suggest in any way that it was directly responsible for the growth and spread of epidemic diseases. If increase of rainfall corresponded with increase in epidemics, the explanation is obvious. The obstruction of river channels and the natural drainage of the country prevents the accumulated rain-water from being drained off properly. Naturally it stagnates, and in contact with organic and vegetable matter in the soil affords a most congenial medium for the breeding of all kinds of disease germs. The Ganges water however possesses a peculiar property of speedily destroying bacteria. It has been so found by recent scientific researches, and this also corresponds to the accumulated experience of ages of the people of this country. So it is beyond the possibilities of any reasonable doubt that the maintenance of a flow from the Ganges and the Pudma along the channels of the Bengal rivers will revolutionise the sanitary conditions of the country through which they may pass. That this can be done by effectual dredging is also obvious.

"But the question is one of expense. Under the present conditions of our Provincial finance we cannot undertake such large schemes. But having regard to the enormous surpluses that are being shown annually in the Financial Statements of the Government of India, I do not see any reason why a fresh settlement should not be made with us to enable us to undertake such schemes of vital importance, economic and sanitary, to this Province. I have suggested the making over of a larger share of our land revenue to us for such purposes.

"If the Government of India would be slow in doing this, I have another suggestion to make. Irrigation has proved a most profitable source of revenue to the Government of India. They are now making nearly 8 *per cent.* on their capital outlay on this account. Irrigation and railways have been made exclusively Imperial sources of revenue. Why then should the Imperial Government leave the bad bargains in the matter of Irrigation to our share? We are ready to work our canals and even keep them in order out of our Provincial funds, but under this head we cannot afford annually to pay Rs. 24½ lakhs as interest on debt. This represents almost the net loss that we suffer from year to year under the head of 'Irrigation.' When the Government of India are making a net profit of 8 *per cent.* on irrigation and 5 *per cent.* on railways, they can well afford to relieve us of this interest. If they wanted equitable reasons for this transfer we need only say that we could furnish much better reasons than is to be found in their argument for appropriating the surplus revenue from the Law Courts in Bengal for their own purposes.

"The Government of India is chiefly responsible for killing our rivers by the canalisation of the Ganges, the Sone and the other tributaries of the sacred river. So the equity is all on our side that the Government of India should come forward to help us out of our present sufferings. Now that the railways

are yielding such enormous profits to the Government of India, and this Province is contributing no small amount to swell such profits, the prayer that I am making on behalf of rural Bengal is certainly not unreasonable. I may also urge that the Bengal rivers being made navigable will go on to swell the profits of the State Railways even to a greater extent. Any capital outlay on that account will not either be a burden on the State or the people. Government is not certainly a commercial concern, and if it makes 5 *per cent.* on the railways and 8 *per cent.* on the canals, borrowing money at 3 to 3½ *per cent.*, it should not hesitate to yield up, at any rate, a certain portion of it for the benefit of either those who contribute towards it or for the general good of the community.

"But even regarding the State Railways as purely commercial concerns, I repeat that the revival of the Bengal rivers will go to swell their profits to a sufficient extent to justify the outlay. Besides, the railway embankments are to no small extent responsible for the insanitary condition of Bengal. The views of Raja Digambar Mitter and of other people who have carefully gone into the question must be well known to Government. I need only invite their attention to some new facts. It is a very significant fact indeed that since Dinajpur, Purnea, and Chittagong have become rail-bound, fever mortality has rapidly risen in these parts. So, in undertaking works of railway construction, the State ought to be also more mindful of the sanitary needs of the country.

"In connection with the epidemic diseases, I wish to say a few words with regard to the expenditure under the head of 'Medical' in the Provincial Budget. I regret to find that all the increased expenditure in recent years is either under the head of increase of pay to officers of the Indian Medical Service or in the interest of the Calcutta Hospitals, and that only Rs. 2,000 is budgetted for under the heading 'Expenses during the prevalance of Epidemics.' The Hon'ble Mr. Shirres in reply to my question pointed to the expenses of additions to the Government Cinchona Factory as expenditure under the head of costs incurred on account of malaria. But examining the figures under the head 'Scientific' in the Financial Statement, I find that the Cinchona Plantations annuallly leave a margin of profit to Government. The capital outlay now proposed to be made will surely yield additional profits. Anyhow the sale of quinine cannot be shown as so much expenditure under the head of 'Malarial Fever.'

"It may not be out of place here to mention that while I was at Nator during the outbreak of cholera epidemic, the Sub-divisional Officer was repeatedly appealing to the District Magistrate for medical assistance for the rural areas, but none was available. It is neither the fault of the Sub-divisional nor the District Officer, for when even hospital assistants are not available for such purposes, what could they do? Surely an adequate staff for dealing with periodical outbreaks of epidemic diseases could not be provided for under the budget grant of Rs. 2,000 for the whole Province.

"We are very thankful indeed to the Government of India for the grant of 12½ lakhs of rupees to the District Boards of Bengal and for the assurance that a similar grant will be repeated every year. But considering that this amount is to be divided amongst all the District Boards in this Province, the Hon'ble Mr. Shirres's order on this account seems to be a very large one. I do not know whether the Hon'ble Member in laying the Financial Statement on the table the other day was quite serious when he alluded to the preventible mortality amongst cattle and the duty of the District Boards in this connection. When the Hon'ble the Financial Secretary laid on the table an appalling record of human mortality in Bengal and was

unable to show any expense under the head of remedial measures in respect of such preventible diseases as cholera and malarial fever, his sympathy and concern for the cattle kind of Bengal was truly pathetic, not unmixed with a latent humour which the Hon'ble Member did not perhaps himself see. I am a humble member of my home District Board and we are not unmindful of our duties to even the dumb creatures and do already contribute our quota for the maintenance and travelling of a Civil Veterinary Assistant in our district.

"The Hon'ble Mr. Shirres further desires us to maintain and increase our expenditure on hospitals, dispensaries, schools and education, water-supply and sanitation, and for all these and more he asks us to fall back on our District Board Funds. And says he, in times of scarcity also, we must give relief out of Board Funds. Of all persons the Financial and Municipal Secretary ought not to have an exaggerated idea of the District Board Funds. For instance, in the Pabna Board, of which I am a member, the revenue from cess on land, pound, ferry, technical school fees and other miscellaneous sources amount only to close upon a lakh, which with Government contribution for primary education, etc., and contribution from private persons for medical aid, comes up to a little over Rs. 1,12,000. Out of this we spend nearly Rs. 40,000 in education, over Rs. 8,000 for medical and veterinary purposes; subsidise a steamer company to the extent of Rs. 5,000, because there are neither rail nor roads worthy of the name in our district.

"Under the present conditions of the river Gorai the steamer journey may well be said to rival the average speed of a bullock cart, for the steamer sticks to the shoals and remains stationary for a number of hours and sometimes even for days. We are however the proud possessors of a three-mile *pucca* road from the steamer ghat to the town. The roads in the rest of the district are all *kutcha* and we cannot afford to have even *pucca* culverts along them. We have to pay about Rs. 6,000 on general establishment, nearly Rs. 11,000 for an Engineer and his staff. All these account for over Rs. 70,000. We have to maintain a minimum balance of about Rs. 8,000 in our budget estimate, and out of Rs. 33,000 available for Public Works, the maintenance of the *kutcha* roads costs us nearly Rs. 25,500 annually and if any portion of the roads or culverts are washed away during the rains, we are left without any resource for undertaking any new work. This is generally the financial position of most of the District Boards in Bengal. So how can they discharge the sanitary and medical obligations which the Government has failed to discharge out of its Provincial resources? The dole of 12½ lakhs will not go far enough even to improve the district communications. So the Government need not be unusually stringent in any prospective legislation regarding the duties and obligations of the District Boards.

"The Hon'ble the Financial Secretary in referring to the grant of 12 lakhs from the Government of India for the re-organisation of the Police in these Provinces remarked that we would cordially welcome the scheme. While congratulating our President for his endeavours in this connection, I regret I cannot accord a cordial welcome to the resolution on the labours of the Commission as it has emanated from the Government of India. I feel no hesitation in according a welcome to the improvement in the pay and prospects of the Sub-Inspectors. But Rs. 7 to 8 per month as the starting pay of a constable in these Provinces seems to me to be inadequate. When we cannot get a durwan under Rs. 9 or a syce under Rs. 7 how can we expect to get a Policeman, whom I would draw from the former class rather than the latter, on a grass-cutter's scale of pay? Nor does the prospect of Re. 1-increase after 3, 10, or 17 years of service seem to me a sufficient inducement to attract a good class of

men into the service; similarly the allowance of 2 annas a day for duty at 'considerable distances' beyond the Police Station seems to be singularly inadequate. In the result, none of these proposals are likely to increase the honesty or integrity of an average constable.

"If corruption, which is the canker that eats into the root of the Police system of the present day, is not removed, most of the money that is proposed to be spent on the so-called Police reform will be thrown away. As regards corruption, the Commission, before whom witnesses were examined, came to the conclusion that it exists in no small degree, and we are prepared to abide by that conclusion rather than accept the academic discourse of the Government of India in this connection.

"In passing I must also observe that the observations of the Government of India regarding the 'physique and temperament' of the people of these Provinces as disqualifications for Police service are equally uncalled for. I need not refer to past records to show that they used to be enlisted both in the Nawab's and the Company's army. Nor need I allude to the athletic possibilities of our present generation of young men to controvert the proposition. The fallacy of the remark is patent on the face of it. The Sub-Inspectors as a class are recruited from amongst our young men and on them fall the brunt of investigation work, and whatever may be their shortcomings in other respects, they have surely not been found wanting in endurance or pluck. The common people are a much sturdier class. The fact is that they are too much occupied with their agricultural work and too much home loving and contended under the system of land tenures in the Lower Provinces of Bengal to aspire for Police service; when their land or its boundaries are interfered with they are known to give a great deal of occupation to the Police, and in any fight outside the Courts of Law the latter are often known to get the worst of it. I need only mention in this connection that the military had to be taken down to quell the Pabna land riots. Still they are a law-abiding people and require only a considerate treatment to be kept in good humour.

"Equally mendacious are the remarks that the people of this country are given to 'the vicious practice of resorting to the machinery of the Criminal Courts in order to gratify private animosities.' No doubt people in these Provinces resort to Criminal Courts to retain or establish possession in land which often change their boundaries with the shifting rivers, but to say that they resort to Criminal Courts to satisfy their private grudge is to assert something which we know is not a fact. To base any such conclusions from the result of the preliminary investigations by the Police is exceedingly fallacious.

"If we examine the statement by the test of trials of the cases sent up by the Police as true, it is the Police whose character is taken away by the facts and figures that are disclosed. We find that the percentage of convictions in such cases during 1903 in these Provinces were 58·2, whereas in England in the corresponding year it was 83·26. This points to the singular inefficiency or perversity of our Police. With regard to cases under the Indian Penal Code it is still lower, being only 42·2 *per cent.* Is it not reasonable therefore to suppose that out of the 20 *per cent.* of the cases disposed of by the Police as false or not-proven even before they came before the Law Courts many a real culprit escapes and in the corresponding number of cases blame is sought to be fastened on innocent shoulders. Hence the large percentage of the cases that are sent up by the Police as true, are declared false or not-proven by the Courts of Law.

"As for the character of our people what better proof can be furnished than that, while 803,394 offences of various kinds were brought before the Law

Courts in England and Wales during 1903, in these Provinces, with a population of almost 2½ times as large as that of England and Wales, hardly 200,000 criminal cases were brought to trial. The percentage of offences against property and other serious crimes also go to corroborate that people of these Provinces are much less given to crime than the masses in countries in an advanced stage of civilization. So the proposals in the Government of India Resolution for strengthening the Police Reserve Force or of increasing the rigour of Police administration are mostly misdirected.

"What is really required for the protection of the people from Police oppression and corruption, is the removal of all Police influence over our Subordinate Judiciary. This can only be done by what is known as the 'Separation of the Executive and Judicial functions.' Eminent Judges of the Privy Council and of the High Courts in India declared in its favour, and at one time the Executive Heads of Government both in this country and in England admitted the soundness of such separation, and only financial difficulties were said to bar the way to this reform. But now when the financial difficulty is gone, the whole scheme is brushed aside with little ceremony. What is now being put forward in its stead by way of Police reform has very little of reform in it, and it will be a wilful waste of public money to run up expenses under this head to Rs. 1,50,00,000.

"The ten lakhs of rupees that have been assigned to us this year under the head of 'Primary Education' is, however, a move in the right direction. But I fail to follow the observation of the Financial Secretary that it would be impossible to devote this sum all at once for its legitimate purposes. I do not see why any substantial portion of it need be spent in brick and mortar. If it is meant for the education of rural Bengal who live in thatched houses, I fail to appreciate why they should be unable to receive their education in thatched bungalows. In the District Boards we have a ready agency for the appropriation of the amount for its proper purposes, and it passes my comprehension why the Financial Secretary should wait at all for the construction of suitable buildings. As for University Education, I shall leave the Hon'ble Member for the University to deal with it.

"In conclusion, I should like to add one word of warning in connection with the question of primary education. It will be a futile attempt in these days of rapid changes and locomotion to forge separate dialects of the Bengali language. I am a native of Northern Bengal and have lived for a considerable length of time in what is described in a recent Government Resolution as Central Bengal. I never knew that there was a separate dialect for each of these parts. In Northern Bengal common people experience no difficulty in understanding the language which we ordinarily speak and write. All the letters to the trades-people and the raiyats are written in ordinary Bengali and they all comprehend them. The proposal now made that the text-book for Primary Schools should be written in English and translated into the colloquial Bengali of the north, south, east and west will only go to create a comic literature for each of the parts concerned. It would be much like the proposal, should the Board of Education in England suddenly take into their head to start the idea, that all the students in the Board's Schools should be taught to drop their their 'h's' and made to speak through their nose, and that text-books should be specially written for the purpose. How such a proposal will be met by the British public, I need not say. But nothing is too absurd for India. The Government has evidently been misled in this matter and I need only add that it will be both a waste of energy, time and money for the Government to create four different dialects for rural Bengal. They might with better advantage employ all their surplus energy and resources to saving rural Bengal from the scourges which, as a member for the mufassal municipalities, I have dealt with at some length."

[*Babu Ambika Charan Mazumdar.*]

The Hon'ble Babu Ambika Charan Mazumdar said:—"Sir, from the peculiar constitution of our Councils some people are apt to imagine that the debates which generally take place in them upon the presentation of the annual Budget Estimates are merely academic discussions which end in volleys of blank speeches to which the people have been too long accustomed either to be startled at, or to pay more than a passing attention to them. On the contrary, I regard the yearly discussion of the Budget to be a very important occasion both for the Government as well as for the people. However much we may regret the entirely one-sided picture which a budget now necessarily presents and however much we may lament the absence of a potent voice in the people to give that picture such a shape and form as may reflect even faintly the popular view of it, it must be admitted that it is the occasion when an apparently irresponsible Government renders its yearly accounts to an unaccountable people, and it is the occasion when not only the past progress of the country is reviewed, but also a forecast is taken of its future hopes and aspirations. But more than this it is the only occasion when a beaurocratic Government condescends to lay its policy before the people and when the representatives of the people, such as they are, are allowed to present their views in the hope of at least partially shaping and influencing that policy. It would therefore be a grievous mistake to approach such an occasion without a sense of adequate responsibility on the one hand and with irresponsible light-heartedness on the other. Sir, in in this connection I beg leave to make one observation which I hope will not fail to receive Your Honour's consideration. I am afraid that under the present arrangement very little time is given to Members for the proper study of the budget. Coming, as it must, at the fag end of a busy session it ought, I think, to be placed in the hands of the Members in sufficient time for their preparation. Your Honour, most of your Official Councillors are experts in financial matters; but the Non-official Members of Your Honour's Council, who alone have practically to raise any discussion upon the Budget, cannot be expected to deal with it with equal force and facility unless sufficient time is given to them to study it in all its details and in all its bearings. If Your Honour's Government can, I venture to hope Your Honour's Government will, in future, allow some more time to elapse between its presentation and its discussion. This will also enable the public and the press to judge of its merits and give their views on its details.

"Sir, I use no language of mere convention when I say that I sincerely congratulate the Hon'ble the Financial Secretary upon the very satisfactory Budget which he has been able to present to the Council. It is perhaps one of the largest Budgets which have passed through this Council charactorised as it is by large grants from the Imperial Government and marked by two very important changes,—one Administrative and the other Educational. The Budget before us is a lucid document bearing high testimony to the great care, attention and ability displayed in bringing up in its present form. The two statements of recurring and non-recurring expenditure furnish a clear index to the entire Budget. On the one hand, the usual statements shew a substantial amount of progress which has been achieved during the year which is just closed, while, on the other, the Budget makes fairly liberal provisions on nearly all heads to inspire hope and confidence of still further progress during the year which we are about to enter. The total revenue under all heads for the year is estimated in round numbers at Rs. 6,89,00,000, and the total expenditure is put at Rs. 6,06,00,000, leaving a closing balance of Rs. 82,49,000 as against Rs. 1,24,00,000 of the current year. This enormous revenue and expenditure, which would be probably beyond the capacity of many Local Governments, are at once proof positive of the strength, of the dignity and of the importance of the administration of which Your Honour is in charge. But, Sir, as there is no sunshine without a cloud, to me it seems this glowing picture of the present Budget is not also without a deep tinge of sadness about it which now looms out in its background. As I contemplate the large figures in this Budget and the lofty spirit of unstinted benevolence which pervades them in their diverse applications, and then as I mentally calculate the serious operation which they must undergo if Bengal is once partitioned, I cannot but feel that we are on

the brink of a very serious experiment. I hope I will not be misunderstood. It is neither in my power nor in my present inclination to draw out Government. I have already tried to do so and failed, and what I have failed to do directly I shall not attempt to do indirectly. Nor am I altogether unmindful of the delicate position in which Your Honour is placed in regard to this unfortunate question, although I must say that it is the honour and credit of Your Honour's Government, more than anything else, which I would still urge on Your Honour's attention until this serious question is either shelved or solved.

"Turning now to the Budget it seems to me that whatever apprehensions might have been felt just twelve months ago as to the probable effect of the financial settlement which this Government had to conclude with the Imperial Government last year, our present estimate of Revenue does not shew that we have been any the loser in the bargain. Under that settlement the revenue which was assigned to us by the Government of India amounted to Rs. 4,98,00,000. And although we were given much smaller shares than under the old contract system in most of the expanding revenues, in the Budget for the current year the total revenue was estimated at Rs. 5,04,00,000 ; while with the never failing, mysterious elasticity of Indian revenues it rose up to Rs. 5,17,00,000 in the revised estimate ; and this has probably encouraged the able Financial Secretary in taking a yet bigger jump and estimate the revenues for the next year at over Rs. 5,64,00,000. Of course it may be still premature to be very sanguine about the advantages of the new system; but, Sir, if the present estimate affords an accurate forecast of the probable results in future years, I am inclined to think there are sufficient grounds for congratulating Government upon its new financial arrangement, which, at all events, possesses one redeeming feature in that it has to a considerable extent relieved the patient lamb of the distressing apprehension of the shearing knife of the wool-gatherer every five years.

"Sir, on going through the several heads on the receipt side of the Budget I am sorry I am unable to congratulate Your Honour's Government upon the steady progress of its Excise revenues. In the Budget for the current year they were estimated at Rs. 72,00,000; in the revised estimate they rose to Rs. 73,00,000, and for the next year they have been estimated at nearly Rs. 76,00,000, and I should not be very much surprised if in the next revised estimate they will shew the same activity towards further expansion as is observable under all the principal heads of the Budget. The average annual increase under this head during the last five years has been Rs. 5,83,000. Our present estimate would shew that we have not hesitated to increase even this enormous average to Rs. 6,50,000, and that perhaps not altogether without the further expectation of having it raised to at least clear 7½ lakhs in the revised estimate. I know it will be said, as has often been said both in this Council as well as in the other Council which guides its destinies and round which it is bound to rotate in its movements, that this expansion of the excise revenues is due to the increased and ever increasing prosperity of the people. Your Honour will pardon me for saying that I regard this as little short of what may be called adding insult to injury. I am not going to rake up here that vexed question of Indian Poverty *versus* Prosperity which has been sufficiently dealt with by far abler men and competent authorities both here as well as in England. But this I will say without hesitation that if increased drunkenness is to be associated with increased prosperity of the people, I do not see why one may not with equal propriety trace increased mortality in this country to overfeeding also. But, Sir, letting quibbling and sophistry alone, there is the high tesimony of the Committee, appointed in England in 1904, for the purpose of inquiring into the causes of physical deterioration of the British people. The Committee says:—'Not only is poverty the result of drink, it becomes an active agent in promoting it. People who have not enough food turn to drink to satisfy their cravings and also to support their enfeebled hearts by alcohol,' or as another witness said:—'The poor often drink to get the effects of a good meal. They mistake the feeling of stimulation after alcohol for the feeling of nutrition. They turn to it to blunt their sensibility to squalor, and it re-acts in deadening all desire for improvement.' Sir, if this is the case in England, what should we say of India?

[*Babu Ambika Charan Mazumdar.*]

"Your Honour, before leaving the question of Excise I desire to enter my humble protest against the introduction of the contract distillery system now being tried in Orissa and Midnapore and which, as the Hon'ble Member in charge of the Budget very fairly and frankly informed Hon'ble Members in his introductory speech, is likely to replace the outstill system throughout Bengal. I am not in favour of the outstills; but in choosing between two evils I would certainly prefer the outstill to the contract system. If the contract system had shown decrease of consumption, I should still have welcomed it. But as it is, a change of system hardly means anything more than a change of hands in the liquor traffic. The contract system will virtually turn the Indian distillers out of the field, and I do hope the experiment will not be further extended pending, at all events, the settlement of the Excise Law which is now under the consideration of Your Honour's Government.

"Sir, the unusual expansion of the Stamp revenue also calls for more than a passing notice. It seems to be going up by leaps and bounds every year. The average annual increase in revenue from stamps is estimated at Rs. 3,89,000. In the Budget for the current year provision was made for an increment of three lakhs, but in the revised estimate it automatically went up to six lakhs, making a total increment of nine lakhs. Now the Budget in hand at once begins with an increase of seven lakhs to close in probably somewhere between nine and ten lakhs in the next revised estimate. This enormous increase, chiefly under the head of 'Court-fee Stamps,' clearly indicates an abnormal increase in litigation. Here, again, a handful of unfortunate lawyers sometimes come in largely for a share of the responsibility, although it is the Government that goes in for the entire profit. I would like to know what percentage of this large increase of Stamp revenue is due to cases arising out of the Survey and Settlement proceedings lately undertaken by Government in spite of the protests of the people. Let Darbhanga, Patna and Muzaffarpur in Bihar and Backergunge in Bengal answer.

"Sir, the next item of our revenue to which I would invite Your Honour's special attention is No. VIII—the Assessed Taxes. Here, again, there is a steady and perceptible increase along the whole line. From the Budget to the revised estimate, from the revised estimate to the fresh budget is the order of our financial progress in matters of taxation. In the 'ordinary collections' of Income-tax Rs. 42,00,000 represented the 'actuals' of 1903-04; and in the next year (the year in which an important exemption was granted to all incomes below Rs. 1,000) instead of taking a lower estimate, as ought to have been the case if the provision of Act XI of 1903 had been taken into consideration, we find the sanctioned estimate putting this item at Rs. 45,00,000, and although the revised estimate fell short by about 1½ lakhs, we find the Financial Secretary again putting it for the next year at Rs. 44,00,000. I have lately drawn Your Honour's attention to the way in which the valuable concession granted to a poor people by raising the minimum of taxable limit has been systematically tampered with by overzealous officers who would have served their Government much better if they had paid geater regard for the credit and reputation of that Government than for their mistaken efficiency and doubtful advancement. I thankfully acknowledge that immediate notice has been taken of this phenomenal development to which I had the privilege of calling Your Honour's attention, and that the Board of Revenue has called for explanation of the local officers on the subject. I only hope and trust, that as there is nothing in the conduct of man which is not capable of some sort of explanation, neither the Board of Revenue nor Your Honour's Government will allow themselves to be satisfied with any mere apology that may be offered by those who have so wilfully violated the provision of the law and grossly offended the dignity and credit of the Government. But leaving them alone for the present, I would respectfuly ask Your Honour to consider how far it is legitimate or expedient on our part in the face of this state of things to provide for a comparatively higher Revenue from the Income-tax than what it was prior to the passing of Act XI of 1903. A larger provision in our Budget evidently means, if it means anything, a larger expectation on the part of Government, and those who are entrusted with the actual administration are thereby naturally led in

their mistaken zeal to work for the realization of that expectation only. Our Government is not an impecunious Government, and in a matter of this description at all events it can never be under the necessity of promising to the ear and breaking to the hope. I submit the estimate should have been framed with a view to reduction, and not increase, of the Excise Revenue and the Assessed Taxes.

"Coming to the expenditure in the Budget, our attention is at once arrested by the very large provision made for Education. It was Rs. 35,19,000 in the original estimate for the current year which rose to Rs. 35,62,000 in the revised estimate, while in the Budget for the next year it has been raised to Rs. 54,00,000. The steady growth of this revenue from 1901-02 to 1905-06 furnishes unmistakable evidence of the abiding interest which this Government still retains for the education of the people. We may differ as to the mode and method of that education, and we may also complain that it has to some extent lately transferred its long-standing affections from the higher branches of that education; but there can be no gainsaying of the fact that Government is still ready to spend a fair share of its revenues towards the education of the people. It ought to be gratefully noticed that out of this large allotment Rs. 12,00,000 form special grants from the Government of India (Rs. 2,00.000 for University education and Rs. 10,00,000 for primary education). With the large revenue thus placed at his disposal the worthy Financial Secretary has been able to make larger provisions for grants-in-aid as well as for scholarships. I doubt, however, if the increased provision for the former is likely to reach very much beyond the industries in the Government Estate at Kalimpong and the Jewish Girls' School somewhere, while as to the latter I should very much like to know what would be the probable number, nature and quality of the special scholarships which are included in this increased provision. As regards higher education, there is no doubt an increased provision of Rs. 1,50,000 for the equipments of the Arts Colleges; but besides a few minor improvements here and there there seems to be no striking improvement which is sought to be undertaken during the coming year. But I must not be understood either to ignore or to overlook the provision of Rs. 67,000 which has been made for the maintenance of efficient boarding-houses in Calcutta, although in this connection I may be permitted to mention the claims of Dacca, Hooghly, Krishnagar, Rajshahi, Bhagalpur, Patna and Cuttack, where students are not wanting who in want of decent accommodation have to put up in objectionale quarters and sometimes even in objectionable houses. It is also satisfactory to note that for the Government Colleges generally an increased provision of over Rs. 50,000 has been made in the Budget for the next year.

"Before leaving the subject of higher education, I would beg leave to submit one or two suggestions for the consideration of Your Honour's Government. In view of the importance so justly attached to scientific education and having regard to the hopeless inability of the private institutions, which command by far the largest number of students, to meet the requirements of such education, I think it is high time that a central or inter-college laboratory were established in Calcutta either with suitable contributions from those institutions which may be disposed to avail themselves of its advantages, or under a fee system for students who may desire to attend its lectures and demonstrations. Without such an arrangement the best intentions of Government and even the most stringent provisions of the University are likely to be barren of their desired results. The other suggestion which I would urge is the foundation of some chairs for the Calcutta University after the model of the Universities in England. The idea is not a new one, although like all old ideas it suffers from the disadvantage of having been once consigned to the dusts of the upper shelves. We have long moved within the fixed groove of a cramming University, and although loud and repeated have been the complaints raised against it and louder still have blowed the trumpets for its reform, there is as yet no sign of any practical attempt to reclaim the unfortunate institution from its vicious tendencies. Your Honour is the first Rector of this old University, and may I express the hope that Your Honour's first

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official connection with it will be marked by the foundation of at least one such chair as the inauguration of a great and useful experiment.

"Coming next to Secondary Education, it has to be noticed with sincere satisfaction that there is a large increase in the provision for the Government schools, general and special, which amounts to nearly a lakh of rupees. The establishment of Training Colleges at Dacca and Hooghly may be taken as the first step towards real effect being given to the new objective method of teaching recently introduced in our high schools. Neither the normal training schools, nor those started at the district and the sub-divisional head-quarters, are likely to turn out competent teachers for the new system, and so long as sufficient number of competent teachers will not be available real education must suffer. In fact I am inclined to think that we have begun rather at the wrong end. We should have first trained teachers before attempting to teach boys; but the simultaneous attempt to teach both can hardly be satisfactory to either. The old staff long wedded to a vicious system have to be weaned from it, and it may be useful to try the experiment of sending for some time a few well-trained teachers visiting school to school and testing the method of teaching according to the new scheme. But, Sir, I would attach still greater importance to the strengthening of the staff of assistant teachers in the high schools so as to leave sufficient time at the disposal of the Head Masters for efficiently supervising and occasionally helping the working of the lower forms. Whatever difference of opinion there may be as to vernacular languages being substituted for English as the medium of teaching in these forms, I do think that with the improvements and safeguards indicated above the new scheme is likely to realize the noble expectations of the Government. Sir, I regret to notice the absence of any provision in this Budget for the reorganization of the Educational Services the necessity of which is fully realized by Government and the urgency of which I had the honour of lately pressing on its attention. The indefinite postponement of a measure like this can only result in the increased loss of the educational interest of the country.

"Passing next to the important grant of Rs. 10,00,000 towards Primary Education, I understand the large provision in the Budget is due to the important question of the establishment of rural primary schools in Bengal which is now engaging the attentive consideration of Your Honour's Government and which has been so elaborately formulated in the Government Resolution of the 7th February last. That scheme, as Hon'ble Members are aware, is based upon the educational policy of the Government of India published in March, 1904. But speaking as a humble representative of the people I must say that the scheme as devised by this Government is, at least in one respect, an improvement upon that policy, in that it does recognize to some extent the importance of technical training of the rural population, which was so carefully sought to be eliminated by the Supreme Government. Your Honour's Government has wisely distinguished primary education of the purely rural population from that imparted in urban areas, and has very properly decided to cut down the heavy load of subjects with which boys of tender age have been so long cruelly hampered by a positively mischievous system. I wish Your Honour had extended this pruning hand to secondary education also. The operation in that case might have tended to the proper growth and development of a large number of our boys who now either pine away or miserably break down at an early age. While according my warm support generally to the scheme formulated by Your Honour's Government for the improvement of Primary Education among the rural population, I would strongly protest against the absurd proposal made for supplying its text-books by means of translations from English originals and then again for getting up these translations not in the approved and recognized Bengali language, which is perhaps the richest of Vernacular languages in India, but in queer, uncouth, ungrammatical vulgar dialects (it is hardly accurate to call them even by such a name) which are sometimes spoken in different parts of the province. I should like to know if the Celtic, the Gaelic and the Welsh dialects are employed in any system of Education in any parts of Scotland, Ireland and

Wales? I have never heard of any complaint being made anywhere against the standard Bengali as being unintelligible except to the *Garrhos* and the *Kukis*. On the contrary, this smooth and beautiful language has found its way to the remotest villages, whether in the Gangetic delta or the Brahmaputra Valley, and has been chiefly instrumental in bringing about those social and intellectual developments which are so rapidly taking place in these provinces. Sir, I am grieved to find a distinguished countryman of my own, who ought to have known much better and who sat on the Committee which has devised this novel idea, did not find it worth his while to raise even his solitary voice against it. But sir, what may be game to some may be death to others. The Muhammadans have opposed it, the Hindus have denounced it and the Christian Missionaries, to whom Bengal owes a debt of undying gratitude for the first impetus given to Education in this country, have set their faces against this absurd and violent proposal. I confidently hope that in a matter of this description Your Honour will not hesitate to attach the weight that is due to such a concensus of public opinion, and I fully trust that Your Honour will not allow an excellent scheme for Primary Education in this country to be defeated by a queer and probably mischievous proposal.

"It is satisfactory to note that increased provision has been made for a larger number of officers both as Munsifs as well as Deputy Magistrates and Sub-Deputy Collectors. But I should like to know why the Budget provision for the current year on account of Subordinate Judges could not be fully expended, and what is the reason for the reduction of the provision for District and Sessions Judges in the coming year? The increased provision for 'Supply and Services' will enable Government to deal with the pending questions of allowances to witnesses, etc., satisfactorily; but I regret very much to find a considerable reduction made in the provision for increase of pay of the ministerial establishment. In the current year Rs. 2,50,000 had been provided but not spent, and in the estimate for the next year this has been reduced to Rs. 1,64,000. Sir, these ill-paid and hard-worked officers have a long-standing grievance, and I once again appeal to Your Honour's strong sympathies for an early and adequate redress of that grievance.

"As I have already said, one of the most important administrative changes of the year is the reform of the Police. The long-expected and long-deferred Resolution of the Government of India has at last been published, and this Government has received a grant of Rs. 12,00,000 as its allotment for the purpose. The Hon'ble Member in charge of the Budget has in his opening address most cordially invited us all to welcome the inauguration of the great reforms contained in that Resolution. Sir, I find myself in a somewhat embarrassed position in not being able to accept such a cordial invitation without some reservation. The strength and the pay of the Police have been increased, and to some extent, though not to the fullest extent required, they have also been freed from the direct influence of the Magistracy. There are some other features of the scheme also which will likewise command the approbation of the public. But I feel constrained to say, even at the risk of being held either ungrateful or unmindful, that the creation of a European and an Indian service and the total abolition of competitive examination for the recruitment of Sub-Inspectors I am unable to regard except with doubt and misgiving. It has yet to be seen whether in the superior grades of the service Indians will be eligible for recruitment in England; and so long as no definite announcement is made by Your Honour's Government fixing the standard of educational qualifications for Bengal Sub-Inspectors, and last not least until some practical step is visibly taken to improve the detective function of the Provincial Police, I cannot persuade myself to be in ecstasy over the proposed reforms. As at present advised one thing seems to me to be pretty clear, that the door to District Superintendentships stand practically closed against natives of India. Nothing will give me greater pleasure than to be disabused of these apprehensions. Sir, tender hearts may sometimes break at the disagreeable calculations of racial loss and gain, but it may be no discredit to those whom fortune has favoured with the power and opportunity for making these perplexing calculations at times boldly to face them in bare justice to hearts that are already broken.

[*Babu Ambika Charan Mazumdar; Mr. Apcar.*]

"Sir, so long I have simply criticized the Budget, though of course I have endeavoured to do so with as much fairness and frankness as I have been able to command. But I should be very sorry indeed to be understood to say that I am altogether unmindful of the many good points that are in it. To some of these I have already referred, and before I close I ought also to notice with sincere acknowledgment a few others which appear to me as among the most salient points in the clear and on the whole satisfactory Budget which the able Financial Secretary has presented to the Council. The grant of over 4 lakhs of rupees to Municipalities for water-supply and drainage works and the permanent contribution of 12½ lakhs to District Boards with prospective increase of about Rs. 14,000 a year, no less than the large provisions for education as noticed above, command the warm, universal acknowledgment of the grateful people committed to Your Honour's charge."

The Hon'ble Mr. Apcar said:—"I am glad to be able again to congratulate the Government on the satisfactory Budget Statement which has been presented to the Council. I would like to say a few words on behalf of the Calcutta Hospital Nurses Institution of which I have the honour to be President.

"In August, 1902, the Government appointed a Committee to manage this Institution which had hitherto been under a Committee of Ladies.

"The Government originally subscribed Rs. 3 for every Re. 1 the Committee collected, subject to a maximum grant of Rs. 37,500, so that if Rs. 12,500 were collected the maximum grant was earned. This arrangement is still in force with the additional proviso that the grant will be increased to Rs. 50,000 in any year that the Committee can collect a similar amount, which means that Rs. 37,500 more have to be collected to earn the additional grant of Rs. 12,500. The Committee have not been able to do this, but upon special request the grant last year was made up to an amount equal to the subscriptions, *viz.*, Rs. 42,651-9-6.

"Since the Committee took charge, the subscriptions collected have been in—

		Rs.	A.	P.
1902	... ...	25,819	15	5
1903	... ...	42,147	14	6
1904	... ...	42,651	9	6

"I quote the following from the Notification of 4th August, 1902:—

It is hoped that, with the appointment of a Committee representing all classes of the community, both European and Indian, a larger increase will be obtained from the public, and that the arrangements, which can be made for the provision of Nurses, will more adequately fulfil the increasing requirements.

"These anticipations have been realised from the European community, as the collections in 1904 amounted to Rs. 42,651-9-6; but I would mention that of this sum only a small proportion, *viz.*, Rs. 1,208 were collected from the Indian community.

"The Institution supplies Nurses to the Medical College Hospital and Nurses and *dhais* to the Eden Hospital; in both these hospitals the majority of cases belong to the Indian community. It is disheartening to the Committee that their efforts appear to be so little appreciated, judging from the small amount of subscriptions to the fund by Native gentlemen.

"There is an ever increasing demand for Nurses and *dhais*. A larger number could be employed did funds permit of it. The Committee of the Institution have applied to the Government for the annual grant for 1905 to be increased to Rs. 50,000. I trust the Government will be able to favourably consider this application and grant the increase.

"The accounts of the Institution show that the expenses have exceeded the collections by about Rs. 2,000 in each of the years 1903 and 1904, provided the grant from the Government again equals the amount of collections. This deficiency has been provided from the capital, but a steady drain on this fund will eventually compel the Committee to curtail the supply of the much needed Nurses.

"The Hospital Port Dues Fund shows a balance at credit of that fund on the 30th April, 1904, of Rs. 2,92,700-5-4. In the items of expenditure there is an item of Rs. 20,254, paid for charges for seamen in Presidency General Hospital, which all goes to the funds of the hospital. These patients are attended by the Nurses supplied and paid by the Calcutta Hospital Nurses Institution, but no portion of these charges is allotted to the Institution. I submit for the consideration of the Government that a small charge payable by the Hospital Port Dues Fund should be made for the services of the Nurses at all hospitals, where such Nurses attend as are paid by the Institution, and that the amount be paid to the Institution.

"A representation has been made to the Government by European and Indian rice merchants using Tolly's Nullah; it has been supported by the Chamber of Commerce, calling attention to the fact that for several days in the month boats cannot use this nullah on account of the silt which has accummulated there rendering it impossible for boats to float or use the nullah. The rice trade from Chetla is an important item of the trade of this port; capital has been invested in godowns and appliances along the banks of this nullah which is threatened to be closed from want of water for navigation of the boats. I submit for the consideration of the Government that immediate steps should be taken to remedy this hindrance to the rice trade, and that an allotment be made for that purpose.

"I am aware the canalization of Tolly's Nullah is included in a larger scheme for the improvement of waterways, but this danger is pressing and I venture to call Your Honour's immediate attention to it."

The Hon'ble MR. LARMOUR said:—"The Financial Statement which we are asked to-day to consider shows evidence of the prudence and forethought which have guided those in whose hands is entrusted the administration of the finances of this Province, and on behalf of that section of the community which I represent I beg to tender to Your Honour and the Government our congratulations on the very satisfactory results which have been attained. We rejoice in the very substantial state of prosperity which is evinced by the budget, and we view with sentiments of pleasure the large balance at the disposal of the Government which we may safely conclude will be utilized for the further benefit of the Province both as regards the servants of the Government and the public generally.

"To traverse the whole budget would necessitate a minute knowledge of financial and administrative details which I do not claim to possess; but with Your Honour's permission I would refer to a few points in the hope that in the near future, when opportunity permits, they may receive favourable attention from the Government.

"Provision is made in the budget for a grant of over four lakhs for the improvement of the Port of Chittagong. To this grant, as matters stand, there can be no possible objection, though it may be presumed that in the event of that port being separated from Bengal all grants made to it by the Government of this Province will be refunded by the Government to which it will be transferred. In this connection I would ask Your Honour whether it would not be possible, out of the large surplus at the disposal of Government, to afford some relief to the Port of Calcutta on account of the heavy burden of the Kidderpore Docks. Such relief would be of considerable benefit to, and would be much appreciated by, the trade of the port. At present the Port Trust pays Government 4 *per cent.* interest on the Dock Loan of Rs. 287 lakhs. If this interest could be reduced to 3½ *per cent.*, the rate at which Government itself can borrow money, it would mean a saving of a lakh and forty-three thousand in the year. It is well-known that the Docks hardly pay their working expenses apart from interest and sinking fund which together amount to about 15 lakhs a year. This burden, therefore, has to be borne by the general revenues of the port.

"I have been reminded this morning by the Hon'ble Mr. Inglis that this question was the subject of correspondence between the Port Commissioners and the Government in 1895-96, and at that time the Government declined to

reduce the rate of interest. But I do not suppose that the decision then arrived at partook of the nature of a law of the Medes and Persians which altereth not. At that time the reduction of the rate of interest on Government Promissory Notes from 4 to $3\frac{1}{2}$ *per cent.* had only been newly introduced and was, if it may be so described, in the experimental stage. It is no longer an experiment, but an established fact. The rate is never likely to revert to 4 *per cent.*: on the contrary, it is more likely to be further reduced to 3 *per cent.* When the loan was made to the Port Trust the rate on Government loans was 4 *per cent.*, and it is evidence of the intention on the part of the Government not to make a profit on the transaction that it should have lent the money to the Port Trust at the same rate. Acting on this principle, therefore, there is no real reason why the interest should not now be reduced to the Government standard of $3\frac{1}{2}$ *per cent.*

"I have heard it also advanced that the Port Trust is prosperous and there is no need for the reduction. This is scarcely a proper argument, for if we admit the claim that the interest should be reduced, then we put the Port Trust in the position of a creditor and the Government in the position of a debtor, and it is no valid plea that the debtor should refuse to pay the creditor because the latter is prosperous. There may be other reasons for refusing the reduction, but the fact of the Port Trust being prosperous cannot be advanced as one.

"The reduction of this interest would largely increase the borrowing powers of the Port Commissioners and so enable them to carry out important works the cost of which must be debited to capital and cannot be paid for out of revenue.

"Would it not also be permissible for this Government to add a substantial amount to the sum of fifty lakhs allowed by the Imperial Government toward the City Improvement Scheme? We, residents of Calcutta, fully recognize the principle that, if we want our city cleansed and beautified, we should be prepared to share the expense of the cleansing and beautifying process; but we hope for such help as will enable us to bear the extra burden without making the cost of existence too great for us, more especially for those who are in receipt of fixed salaries, but who find expenses continually increasing.

"I note that in the budget provision is made for the housing of Government officials, and I trust this will include some sort of living accommodation for the poorer class of Government clerks to whom it is a serious problem to find suitable quarters in the face of ever rising rents.

"Apparently for the first time after many years a very liberal grant has been made for Primary Education. May I venture to hope that, as no details are given as to how it is proposed to apportion this grant, some portion of it may be used for what, for want of a better appellation, I may call 'Primary Technical Education'? Technical Education has had substantial encouragement and support from Government for many years, and the results have been of marked benefit to a large number of young men whose training thus gained has enabled them to adopt professions of usefulness and profit. As a further step in this direction, Your Honour has recently introduced a system of Commercial Education, and I have no doubt that the opportunity will be taken full advantage of by young men who contemplate a business career, for with the foundations thus laid at schools and colleges they will find themselves prepared beforehand for the work that lies before them as clerks, book-keepers or accountants. Technical Education, therefore, has been dealt with in no niggardly spirit by the Government.

"But there is one class for whom apparently little has been done, the class who have to depend upon their hands to earn their livelihood, to whom training schools, engineering colleges and commercial classes are things unknown, or, if known, unattainable; whose education is of the most meagre description and whose training for the particular handicraft which they may adopt seems to be picked up anyhow and anywhere without any method or recognized system. It is on behalf of this class, the large class of artizans and

handicraftsmen, that I would beg some assistance from Your Honour. Some years ago a Commission was appointed by Government to enquire into this subject, and in response to an enquiry I received from the Secretary of that Commission I communicated my views at some length. I never heard the result of that Commission, or whether any definite conclusion was arrived at.

"I trust I may be pardoned if, on this point, I confine myself principally to the industry with which I am personally connected and in which I have had a continuous experience of over thirty-six years; but I have little doubt that employers in other branches of manufacturing industries would confirm what I say. Something is done in Reformatory Schools to teach young boys a trade. Apprentices are, I believe, taken in at the dockyards and telegraph works. But more than this is necessary. It is hardly advisable or desirable that boys should transgress the law in order to be taught a trade, and the other sources of training are open only to a few. What is wanted is that boys who are willing to learn a trade should have the opportunity afforded them of learning it in a methodical and systematic manner. Private concerns can and do afford a certain amount of training, but they are comparatively few in number and are in many cases out of the reach of the would-be handicraftsman. As it is at present, the large majority of youths pick up a knowledge of their craft as best they can, with the result that their workmanship is of a very low order, rendering them unfit to compete with others whose systems of training are better and more methodical.

"As an example, I would here mention a well-known fact, that Chinamen are gradually but surely supplanting natives as wood-workers. Whatever their system of training may be, it is not to be denied that their workmanship is superior in every way to that of the native, and I cannot accept it that this is due to any superiority of intelligence; for granting equality of conditions and training the native artizan can, when properly looked after, do his work as intelligently and skilfully as his Chinese competitor. But it is just that training that is lacking, and it is in this direction that I would solicit the help of the Government. I acknowledge that there are difficulties in the way, but those difficulties are not unsurmountable. They have existed in other branches of technical education and have been successfully overcome. We must recognize the general poverty of the class, the early age at which a boy must begin his training, the inability and possibly unwillingness of parents to send their boys to any established training institution, the inadvisability of insisting on educational tests which would be of little or no value to the man who has to earn his living by the work of his hands, and with these principles to guide us I feel sure that something could eventually be done to benefit and improve the position of the artizan classes of this Province.

"This Council has lately passed a law which will be very much to the benefit of Calcutta, I mean the Smoke-Nuisances Act. We have heard on many sides that the best prevention of the smoke-nuisance is to procure better stokers. At present we take an untrained coolie and tell him to shovel coal into a furnace. To him the fact that thick black smoke belches forth from the chimney is only evidence that he is zealously carrying out his orders to throw coal on the fire, and he is happy in consequence and proceeds to add more coal thereby causing more smoke. To talk to him about scientific stoking would be futile, and to tell him that the coal must be so distributed that there shall be little or no smoke would, to his mind, be an insult to his intelligence. Let the coolie however be trained before he is allowed to stoke, let him understand from the first that dense smoke only means imperfect combustion, let him learn that the less smoke he makes the more money he will get, and his endeavours thereafter will be confined to lesson rather than to increase the volume of smoke. But at present he has no one to teach him. All he has to do is to shovel coal and that he does to the best of his ability causing loss to his employers, inconvenience to his neighbours and earning less money for himself.

"I would take this opportunity of thanking Your Honour for the generous donation which has been provided for towards the paying patients' wards of

[*Mr. Larmour; Babu Saligram Singh.*]

the General Hospital. This will be a matter for much satisfaction and congratulation to those who have striven so long and so earnestly for that admirable institution. It is hardly necessary for me to take up the time of the Council by dilating on its benefits and merits. I can only assure Your Honour that the boon is one which will be thoroughly appreciated by those who have the misfortune to be inmates of the hospital, and that you, Sir, will have earned the heartfelt gratitude of all sections of the European community in Bengal."

The Hon'ble BABU SALIGRAM SINGH said:—"I congratulate the Hon'ble Member in charge for having placed a good budget before us, and it is satisfactory to find that the financial condition of the Government of Bengal is sound and prosperous. In passing, I may here remark that the misapprehension under which some Hon'ble Members laboured last year as to the effect of the new financial settlement with the Government of India on the finances of Bengal must be by this time removed for good. I desire to offer a few remarks on the details of the budget.

"While commenting on the favourable financial position of the Government of Bengal during the year, the Hon'ble Member in charge of the budget admits that this is largely due to an unusual expansion of the stamp duty chiefly under the head of 'Court-Fee-stamps.' This, I am afraid, is not altogether a matter for congratulation, for an expansion of revenue chiefly under the head of Court-Fee-stamps undoubtedly means an increase in litigation. But at the same time I am bound to say that, with increased receipts from Stamps, the Government is not unmindful of the demands of Law and Justice for increased expenditure with a view to greater efficiency. This is evidenced—(*a*) by the provision made in the budget for an Additional Judge of the High Court, who I hope will be made permanent; (*b*) by a larger expenditure under fees to Pleaders; (*c*) by larger grants under salaries and establishment to Munsifs, diet and travelling expenses to witnesses and allowances to Jurors and Assessors; (*d*) by the proposed extension of the High Court buildings; (*e*) by the provision for the erection of Munsifs' Courts and Munsifs' private residences in different places and by other items; and I hope that such expenditure will be an ever-increasing factor in all future budgets.

"It is satisfactory to find that in the Budget Estimate for 1905-06, a sum of Rs. 2,85,000 has been set apart for an increase in the number of Deputy Magistrates and Deputy Collectors and the re-organisation of the Subordinate Executive Service. I do not know what the scheme is for the re-organisation of the Subordinate Executive Service, but no scheme will be satisfactory that does not include an increase in the initial pay of the 4th grade Sub-Deputy Collectors. As at present these officers commence with an initial pay of Rs. 100 *per mensem*, and this sum is altogether inadequate to support them, consistently with the style and dignity they have got to maintain. It must be remembered that these officers are drawn from the same class of men as Deputy Collectors, that in the majority of cases they possess the same educational qualifications, and that they are employed to discharge the same judicial and revenue work. It is therefore reasonable that they should begin with about the same pay as Deputy Magistrates, and I think it will be conceded that Rs. 150 a month will not be a too large sum for them to begin with. I trust my remarks will be kept in sight when the scheme for the re-organisation of the Sub-Executive Service is finally formulated.

"I see that a sum of Rs. 20,000 is provided in the budget for the re-organisation of the Registration Department. I do not know whether the re-organisation contemplated includes the placing of Rural Sub-Registrars on the permanent list and their being graded and paid salaries instead of commission. The Government of Bengal had some such scheme under their contemplation, and I should like to know whether by the proposed re-organisation of the department effect is to be given to this scheme, although the sum allotted for the re-organisation, in my opinion, would scarcely appear adequate enough for the purposes of such a scheme. If the re-organisation meant does not contemplate this, then I should respectfully like to submit that, the sooner attention is drawn to this matter, the better.

"It is a matter of regret that the Government of Bengal has not found it possible to utilise the grant that was sanctioned last year for improvement in the pay and prospects of the hard-worked Ministerial Officers. In reply to an interpellation in the Bengal Council some time ago we were given to understand that the scheme had not received the sanction of the Government of India, and the same reason is also put forward in the budget itself. But I trust that, before the time comes round for the presentation of the next budget, the Government of Bengal would be ready with the scheme in order to be able to make provision for it next year.

"I find that the estimates provide Rs. 70,000 for expenses during the prevalence of Plague, including a special grant of Rs. 50,000 to the Divisional Commissioners for special plague measures. While I am bound to say that in the past the Government has not been unmindful of the troubles and sufferings of the large plague-striken population, especially in the districts of Bihar where the ravages of plague are most keenly felt, it strikes me that the sum provided this year must be somewhat inadequate to the requirements of the case, and I would respectfully press that the Government should give a larger grant for this purpose, even at this stage, if it is practicable to do so. This is a matter in which the Government ought to be generous.

"I also find that a sum of Rs. 48,000 is provided in the budget for raising the Dacca Survey School to the status of the Bihar School of Engineering. It may be necessary to raise the status of the Dacca Survey School, but at the same time the question of raising the status of the Bihar School of Engineering itself ought not to be altogether lost sight of. No doubt in reply to an address of the Bihar Landholders' Association, Your Honour was pleased to say that the consideration of that question ought to be postponed pending the consideration of the proposed transfer of the Sibpore Engineering College to Ranchi. I do not know whether such a transfer has been finally decided upon; but I venture to think that, even with the Sibpore Engineering College tranferred to Ranchi, there would be found room enough for an Engineering College in the capital of Bihar itself. Nor would the cost of raising the Bihar School of Engineering to the status of a college, at least a college teaching up to the Lower Civil Engineering Examination only, be, I think, prohibitory; it has already many of the requisites of a college, and it will not I, think, require a large expenditure to give it the required degree of expansion. I most respectfully beg to press this question on Your Honour's attention.

"There is another College that is very badly wanted in Bihar. I am indeed very glad to see a provision of Rs. 33,000 for improvements in the Temple Medical School, Bankipore. It is good so far as it goes, but not until the Temple Medical School is raised to the status of a college will the requirements of Bihar in the matter of medical education be adequately met. Will it be believed that with the Medical College in Calcutta in full swing for the last 70 years or more, there is not a single Bihari Assistant Surgeon in the service of Government; will it be believed that there is not even a single Bihari graduate of medicine except perhaps one. But this lamentable state of affairs, I respectfully beg to submit, is not due to the inaptitude or incapacity of the Biharis for medical education, for the Temple Medical School in Bankipore is full to overflowing with Bihari students, and there is absolutely no reason to doubt that students will not be forthcoming in large numbers for a Medical College if the advantages thereof are brought to their doors. And taking into consideration the fact that Government maintains but one solitary college in Bihar, and that the expenditure thereupon is out of all proportion and considerably below what would be the proper share of Bihar if the total expenditure on higher education on the basis of population or on the basis of Bihar's proportionate contribution to revenue were taken into account, and also taking into consideration the fact that practically speaking the Biharis have derived no advantage from the Calcutta Medical College, taking these two facts together into consideration, I think it will be conceded that the Biharis have a fair claim to have a Medical College of their own, and I beg to press this question on the attention of the Government of Bengal to be dealt with whenever an opportunity for it should arise.

[*Babu Saligram Singh; Babu Bhupendra Nath Basu.*]

"I cannot but tender my cordial thanks to the Government of India for the large grants for Police Reform, Primary Education and for the District Boards. Police Reform means, I take it, the reform of a vital department of the administration, and as such it is of the greatest consequence that the reform should be thorough, but at any rate the Government of Bengal ought to give a fair trial to the reform suggested before we shall be justified in asking for more. As regards the grants for Primary Education, I agree with the Hon'ble Member in charge of the budget in the way he proposes to spend it; and as regards the grant to the District Boards, I think it is necessary that the Commissioners of Divisions, who will be at present vested with the allocation of this grant to the different District Boards in his division, will keep in sight in making the allocation, not only the varying necessities of the different District Boards, but also, so far as practicable, the share that would in the ordinary course of business fall to the lot of each if the distribution were made direct by the Government.

"In conclusion, I am bound to congratulate the Hon'ble Member for having been able to provide for a number of useful and worthy objects under the different heads of expenditure: Land Revenue, Excise, Registration, General Administration, Law and Justice, Police, Education, Medical, Scientific and other minor departments, Miscellaneous, Irrigation and Civil Works, and to repeat that on the whole the budget is an eminently satisfactory one."

The Hon'ble BABU BHUPENDRA NATH BASU said:—"Sir—I offer my best congratulations to the Hon'ble Mr. Shirres for the budget which he has laid before the Council and the admirable and lucid statement with which he introduced it. So far as it goes the budget is eminently satisfactory and the Hon'ble Member is entitled to just credit for it. The last financial settlement, whatever effect it may have had upon the stability of the financial relations between the Local and Imperial Governments, does not seem to have been an unmixed good. The additional tribute which we have to pay for the larger share of the Provincial revenues which the Imperial Government has appropriated, amounts for the next financial year to Rs. 74,72,000. Against this we have to set off Rs. 49,03,000, the Imperial grant; so our net loss is Rs. 25,69,000. This is a dear price to pay for the boon of an indefinite settlement not renewable every five years, and the price, with the expansion of our local revenues, will go on increasing every year.

"We are deeply grateful for the Imperial grant of 12½ lakhs to the District Boards. It is an act of tardy reparation. The injustice done to the fund by its diversion to objects other than those for which it was originally intended has been denied. The plea has been put forward that subsequent legislation has removed the limitations which surrounded the fund under its original scheme. We need not stop to inquire into the validity of this plea. The Government may, as it well knows, validate any act it chooses: its legality may not be questioned, but its justice and propriety very well may. People submitted to the levying of the road cess which they contended was a violation of the solemn pledge given by Government at the time of the permanent settlement on the distinct assurance that the fund would be utilised for certain well understood local purposes. Can it be for a moment said that this assurance has been adhered to? Legislation may legalise but cannot justify a wrong. We are sure the whole question will be carefully considered when the Local Self-Government Bill is introduced and we trust that justice will yet prevail. But however that may be, we welcome the relief that has been given to these hard-pressed bodies, the District Boards of Bengal; may we interpret it is a sign that Government feels the injustice of its action and is willing to make amends? I admit it is a bold interpretation, but Governments, and even the Government of India, are not above possessing a conscience.

"Sir, I am told that the help offered by Government for the purpose of digging wells and tanks for drinking water has been fully availed of. I may remind the Council that the Government offered fifty thousand rupees, provided the District Boards and private individuals paid a similar sum. I am glad

and I congratulate ourselves and the Government that the sum expected from private contributions was actually subscribed; but it is not fair to the people who are paying the road cess and contributing through the District Boards, that they should make further private contributions. The contributions come of course, but we all know how.

"Coming to the question of Education, on behalf of the Constituency which I have the honour to represent in this Council, and that Constituency embraces the whole of educated Bengal and includes the officers, European and Indian, engaged in the work of education, I beg to express to Your Honour's Government our sincere gratitude for the largely increased expenditure sanctioned under this head. From Rs. 34,42,000 budgeted for in 1903-1904, we have for the ensuing year an estimated expenditure of Rs. 54,07,656; we have also to thank Your Honour's Government for the great improvements projected with regard to the Dacca College, for which a sum of Rs. 2,27,500 has been sanctioned and for Rs. 37,000 sanctioned for improvements to the Bethune College.

"Sir, I tread on delicate ground when I refer to the expenditure of Rs. 1,00,000 on the Ranchi Model College. I am aware of the difference of opinion which attaches to this scheme. Fears have been entertained in some quarters that the growth of the Ranchi Institution may choke the life of the Presidency College which has been endeared to us by its long and varied associations. It carries us back to the days of the old Hindu College, to times when the western scholar had to establish his claims against the ancient forms of the east; it has given us Educationists whose names are remembered with affection and pleasure; it has given us men whom we have learnt to look upon with pride. It serves as an exemplar to eductional institutions all over the province and it is the centre of our hopes and aspirations. Any action which threatens to undermine its foundations are viewed with dismay. We have Your Honour's assurance that it is not intended to let the Presidency College die. Your Honour will pardon those of my countrymen who fear that Your Honour's successors may disregard your assurance and that a day may come when the Presidency College may cease to be.

"They point out, not without reason, that solemn pledges contained in Parliamentary Statutes and Royal Proclamations have not always been fulfilled: that assurances made to the ear have been broken to the hope, and that a succeeding Government may feel no compunction in upsetting the decision of its predecessor. I for my part do not share these fears. Whatever may be the fortunes of the Ranchi College, whatever the intentions of any future Rulers of Bengal, it is not possible to conceive that the seat of the foremost University in British India, the seat of the Supreme and Provincial Governments, the seat of the highest Courts and the principal public offices, the centre of all educational activity should be without an exemplary educational institution in the country.

"To the people in the mufassil, Calcutta with its congested population, its outbreaks of epidemic diseases, its dangerous attractions and its general expensiveness, it is no easy matter to send boys to be educated in the Presidency College. To parents in Calcutta when a boy is sickening in the close and pestilential atmosphere of the town, it is difficult to find where to send him to without a break in his studies. The Ranchi College will not supplant the Presidency College, just as Darjeeling, nay, even Simla has not supplanted Calcutta, but it will supply a long-felt want. In its hostels grouped together will live the Hindu and the Mussulman, the patrician and the plebian, and in the warm days of youth they will contract friendships which will bind them as citizens and will be no mean factors in the evolution of India.

"Sir, whatever may be said of the Ranchi College Scheme, I think public opinion will unanimously support me in my prayer to strengthen the Presidency College and widen its sphere of usefulness. It has to maintain

[*Babu Bhupendra Nath Basu.*]

its position against powerful Missionary Colleges and active private institutions. No expense will be grudged by the country in giving the Presidency College the most efficient staff. As an old student of the College, I remember with pleasure and pride the days when we sat at the feet of men like Sutcliffe and Woodrow, Croft and Tawney, Elliot and Pedler. . . . . Their sympathy with the students is still remembered with affection, their influence still permeates our life. Nor is this all. If the Presidency College is to fulfil its destiny, it must be converted into a residential College with large and healthy hostels and extensive recreation grounds, where the teacher and the taught may meet untrammelled by the formalities of the class room. Your Honour's sympathy with the cause of higher education is well known. Surely, Calcutta and all Bengal may expect what Your Honour has given to Dacca, and a resuscitated Presidency College with its unrivalled laboratories and library, surrounded by neat and nice-looking quarters for the students and the professors, overlooking a broad playground, skirting it may be the river or the canal, will be an institution which will worthily commemorate Your Honour's rule.

"Sir, while still on the subject of the Presidency College, I shall take leave to call Your Honour's attention to a matter to which my distinguished predecessor in the representation of the University with all the weight that attaches to his unique experience of University affairs had made pointed reference on the occasion of the last Budget debate, I mean the reduction in the number and value of the junior and senior scholarships awarded as the result of the Entrance and F. A. examinations. These scholarships are mostly won by poor students and are in many instances the only means on which they rely for their education. It is they who have given us our most distinguished scholars and it is on them that the burden of reduction falls very heavily. The schooling fee of the Presidency College is now higher than the 3rd grade junior scholarships, and these scholars if they wish to join the Presidency College have to take to private tuition to the detriment of their own studies. Your Honour's Government was pleased to hold out a hope on the occasion of the last Budget debate to re-consider the subject. I find additional provision to the extent of Rs. 15,000 has been made in the Budget for scholarships, and I trust that the grievances of the junior and senior scholars will now be redressed.

"Sir, though the Presidency College has naturally the first claim on Your Honour's attention, I may, I hope, also plead for the private Colleges in Calcutta. Hardly any of them in its literal sense is proprietary, most of them are vested in Committees; they have to fight their way with the limited means at their disposal; they have to satisfy the needs of their students who are no mean judges of the quality of the instruction they receive. They have to face private and Government competition and stand the strain of the exodus amongst the students due to plague or other epidemics in Calcutta. They carry on their work without Government aid and hardly with any private help; and they discharge a very useful function: hundreds and thousands of poor students would be denied the benefit of English education but for these private Colleges. The new regulations compelling them to provide for hostels will seriously handicap their resources, and it would be conferring a real boon on the country if the Government came to their help under their present difficult situation. We acknowledge with pleasure the provision of Rs. 67,000 for rent of boarding houses for students in Calcutta; may we hope that a free gift of this sum will be made to private institutions according to their requirements for the accommodation of their students, or if that is not possible only a nominal return asked for.

"We have also to thank the Imperial Government for its grant of five lakhs to the University and Your Honour's Government for its grant of two lakhs. We hope the extension of the University Buildings that is contemplated will be made with the object of housing a central laboratory and library for the use of University students, so that in time with further funds the University of Calcutta may discharge the function of a teaching University.

[*Babu Bhupendra Nath Basu.*]

"Our best thanks are also due to the Imperial Government for the grant of Rs. 10,00,000 in aid of primary education; it will lighten the burden of the District Board and help the cause of education in the country. We cordially and gratefully acknowledge the efforts of Government in the cause of education. We find that in the closing year there were 1,730,614 male scholars and 162,260 female scholars in school, giving a proportion of 30·08 and 2·82 respectively against the same population of school-going age.

"There was a slight rise in the number of schools, giving a total of 36,000 schools against 215,467 villages, or roughly speaking four schools for every three villages, and these include Government-aided, Board, and private institutions. I shall not dwell on the common places of the benefits of education. The Indian handloom industry in which Bengal occupies a high place is being gradually crushed out, because the weavers will not adopt the improvements which other countries have adopted, and which may be brought within their means. The Indian husbandman knows of no other implements than those which have been handed down to him from times immemorial.

"The only means to help them is to give a wider horizon to their vision and that can only be done through the means of education. We spend the least of all civilized countries on education and while in Europe and in North and South America primary education is compulsory and free, we extract from the ignorant and ill-fed peasantry of Bengal nearly 20 lakhs of rupees in fees. If primary education cannot be made compulsory, if it cannot be made altogether free, cannot the Government cheapen it, so that it may be more largely availed of than now by the people for whom it is intended.

"But whether we can render primary education free or not, even in the case of cultivators and working men, we can certainly render it more attractive. I do not know whether the Government is aware of the nature of the text-books in use in these schools. They are intended to be science primers issued by English-publishing firms and written in a language, which it will be hard to define and discriminate. One of them, the most largely used is a conglomerate of English and Bengali and it deals with all conceivable scientific subjects: Chemistry and Physics, Botany and Zoology, Hygiene and Hydrostatics all find a place there. Neither the ill-paid and ill-equipped *guru* nor the bewildered student can dive into its mysteries, and this beautiful jumble of scientific jargon is doing service for the scientific education of Bengali children. The thing would be ludicrous if it was not so pitiable. Generations of boys are growing up in utter ignorance of what they are taught and valuable time is being wasted. There have been protests and complaints, but who cares. Not the mighty Education Department, which is passing boys through the same mould so that they may emerge with the same shape.

"This brings me to the consideration of another cognate matter. We do not know what our Rulers think of our language. They believe, I am afraid, that it is a language without shape or form and that it may be chiselled into any shape. A learned Committee of four Englishmen and one Indian recently sat and came to the conclusion that primary instruction to the agricultural youth of Bengal should be imparted in their own dialect. We are told that a book has to be written out in English and then translated into the different dialects of Bengal, so that knowledge may be acquired without the process of learning a language. It is difficult to discuss the matter seriously: it is difficult to conceive that a translation from another language is to be the medium of instruction for little children: that foreign modes of thought and expression will have to be rendered into the dialectical language of Bengal, so that they may be understood by the illiterate classes. We may ask these learned gentlemen whether they would translate the word stomach, for instance as 'pat' for East Bengal as 'pet' for Central Bengal, as 'pent' for West Bengal and I do not know into what other word for all the different areas over which the Bengali race has the misfortune to be scattered. I do not know whether it is known to these gentlemen that the Bengali poetic renderings of the *Ramayana* and *Mahabharata*, the immortal works of Kirtibasha and Kashidasa

[*Babu Bhupendra Nath Basu.*]

are read or sung all over Bengal and notwithstanding the large admixture of Sanskrit words generally understood. I do not know whether they have witnessed the spectacle of a Jatra party from Calcutta visiting the interior of the country and largely attended by the literate and illiterate classes and equally appreciated by them. This is not the place nor the occasion to argue the question. In any country but in India nobody would have believed that such a recommendation could have been made and in no country would such a recommendation be given effect to. But it is no exaggeration to say that we do not know how we may fare here. If we oppose we impute, if we keep quiet we acquiesce. We have no intention to impute, but the country has unanimously protested against the recommendation and we trust Your Honour will deliver us from this impending calamity. The Bengali language is not so difficult that simple text-books in indigenous Bengali cannot be written in an intelligible form for the agricultural population. It is enough that we import all our necessaries of life from foreign countries, it is enough that we clothe our agriculturists with the produce of Lancaster, let him have his language coined for him in his own country.

"Sir, I have on previous occasions dwelt on the grievances of the Subordinate and Provincial Educational Services. Your Honor's Government has been pleased to state that the matter is under the consideration of the Government of India. We hope, Sir, that we shall soon have a scheme which will remove one of the gravest blots in the educational system of this Province, an ill-paid staff to discharge what every civilized Government considers the most important function of administration.

"Sir, there is another class of officers who deserve some consideration at Your Honour's hands. I refer to the Sub-Deputy Collectors. They come from the same strata of society as the Deputy Collectors and have generally the same educational qualifications. Their initial pay of Rs. 100 specially when it is considered that they get no travelling allowance up to a distance of 15 miles is hardly adequate and is not desirable in the interests of the service itself or of the State. We are glad to find that the Financial Statement shows that Rs. 2,85,000 has been set apart for the re-organization of the Subordinate Executive Service and we are sure that the claims of this deserving class of officers will be duly considered.

"Sir, I have already detained Your Honour's Council too long and I dare not go into many other questions which vitally concern us. Your Honour is aware that there have been numerous complaints about the way in which gun licenses have been issued or rather withheld. We fail to realise why in areas comparatively free from acts of violence, licenses previously issued are being cancelled. It can have but one meaning, that our Rulers, with every year that is passing, are growing more distrustful of the people, but that is a meaning which it is hard to attach to the action of the authorities. There must be some overzealous policeman somewhere, and we naturally appeal to Your Honour for relief.

"It is not possible at this stage to dwell on the effect of the recent Resolution of Your Honour's Government abolishing competitive tests for admission to the Provincial Civil Service. The merits of competition *versus* nomination have been discussed threadbare. Your Honour's distinguished predecessors have held different views, but views may certainly change.

"Sir, flattery and sycophancy have been justly condemned by very high authority. It seems that a variance between profession and practice is not the monopoly of the East. While we are told that sycophancy is an unpardonable sin allied to untruth, we are made over hand and foot to the tender mercies of the lord of the district. We have no means to ascertain how the youth of poor and middle class parents will approach the Collector, how their merits or demerits will be known to the earthly arbiter of their destiny. We are essentially a poor people, non-commercial and non-industrial. Service in the Government of their country has been to our young men one of the principal inducements to study. Altruistic and lofty ideals of knowledge for

the sake of knowledge have not generally been the guiding principles of our young college students, as we are told is the case with the youths of more favoured nations. They must put aside their self respect and they must discard the exploded divinities of their ancient faith and burn incense at the altar of the gods who belong to a more virile race. When I think of what this will lead to, I despair of my countrymen. But while, Sir, I regret the introduction of this new system, I have to thank Your Honour for the recognition of the claims of the University. Your Honour has conferred upon the University the privilege of recommending three students for these appointments and this will to some extent keep the door open for poor but deserving boys to get into the service: it will palliate but not remove the evil.

"Sir, there is one matter to which I crave leave to refer before I conclude. Last year I appealed to Your Honour for relief on behalf of the malaria-stricken people of Bengal. On that occasion the Hon'ble Mr. Shirres in the course of the budget debate was pleased to say that a special officer had been deputed to make inquiries, but his report had not then been received. I trust that that report has since been received. In this connection I shall call Your Honour's attention to the following figures:—In 1903 while death from plague amounted to 65,680, fever accounted for 1,654,941 deaths: that is, roughly speaking, deaths from fever were nearly 25 times as great as deaths from plague. We are afraid that while this is the case, fever does not receive the same attention that plague does. The one arrests attention both of the people and the Government by its suddenness, the other is allowed to kill the Bengal peasant by slow degrees, and where it does not kill, it leaves behind a weakened population, who drag on a miserable existence. And the remedy is plain enough. In the mufassal towns, with their defective drainage and insanitary conditions, fever contributed 14·26 *per cent.* to the death-roll, whereas the rural areas were responsible for 22·65 *per cent.* And in the tract of the country surrounding Calcutta, *viz.*, in the 24-Parganas, while the death-rate from fever was 19·98 *per cent.* in Calcutta itself it was 5·74 *per cent.* The figures are significant and shew which way the remedy lies. No doubt the ignorance of the people as regards sanitary matters is to some extent responsible for this terrible havoc, but sanitary science will not help them to get the money for large drainage operations and good drinking water. The advance of science since the last Malaria Commission was held has been very great and we appeal to Your Honour to appoint another Commission or Committee of Inquiry into the causes of death from malaria in Bengal and their remedies. We can assures Your Honour no expense will be grudged by the people on this head.

"While on the subject of malaria, may I draw Your Honour's attention to the condition of the Arambagh Sub-division of the District of Hooghly. In former times it used to be one of the healthiest places in West Bengal and was the breeding ground of that splendid body of men who formed the ranks of the dacoits It suffers terribly from inundation which devastates the country for miles and miles, thrice and sometimes more in every year, allowing not a blade of grass to grow and then follows fever in its train. This is what was said of the Sub-division in the last Census Report:—

"This Sub-division is generally looked upon as the unhealthiest part, and its crops are often damaged by floods from the Damoodar, whose waters are now allowed to spill over its right bank in order to obviate the risk of the embankment of the left side being breached. In spite of the immigration that has taken place, the district is still less populous by 70,000 than it was in 1872, and even then the district had suffered terribly from the fever epidemic for nearly a decade. It seems very doubtful whether it will fully recover its losses until the drainage problem is solved. The place is but three or four hours' journey from Calcutta, and I would respectfully appeal to Your Honour to visit the locality during the next rains to realise the misery and the sufferings of the poor inhabitants. I have ventured to make the appeal, relying upon Your Honour's sympathy for the poor and the suffering; and I am sure my appeal shall not be in vain.

[*Babu Bhupendra Nath Basu.*]

"Sir, coming nearer home, I may be pardoned if I make some reference to the Municipality of Calcutta. We read with a profound feeling of disappointment the Resolution of Your Honour's Government on the last Administration Report of the Corporation of Calcutta. The Special Committee of that Corporation has brought out defects both of administration and constitution which were serious. People expected that the Government would give directions to rectify the defects which the Committee had so lucidly pointed out. Even the Hon'ble Mr. K. G. Gupta had to adopt the main charges that the Committee had substantiated, and it was scarcely expected that the Government would be influenced in its judgment by the constitution of the Special Committee and would practically dismiss the report from the consideration with the following remarks:—

The Special Committee of the Corporation reviewed the Chairman's report in a very thorough manner, and rendered good service in drawing attention to defects which demand careful attention. But they were as a body frankly hostile to the whole system of administration introduced by the present Calcutta Municipal Act. A very cordial appreciation of good work was not perhaps therefore to be expected in their review.

"I do not think the Government could have overlooked the fact that one of the members of the Committee belonged to an important body which was violently opposed to the old order of things and was partly responsible for the new, and that the report was unanimous. However, I do not wish to detain the Council about controversial matters in regard to the Corporation of Calcutta. I shall as a resident of Calcutta call Your Honour's attention to the following observation in the Government Resolution:—

The supply of unfiltered water is causing anxiety. The large increase in the number of connected privies has materially reduced the pressure in certain localities.

"As my hon'ble friend the Chairman of the Corporation will admit, it has failed in many instances and has proved very vexatious. It is a serious menace to the health of the town when the supply of unfiltered water to the privies fails, as it frequently does in the hot season, and I would appeal to my hon'ble friend and ask Your Honour to support me in the appeal, not to insist on converting service into connected privies until the unfiltered water-supply has been placed on a more satisfactory basis.

"Sir, I showed from figures which I placed before the Council on the occasion of the last budget debate, that the Corporation no longer represented the people of Calcutta, and the representation such as it is of the northern portion of Calcutta was extremely weak. The old members are gone and the new have not the advantage of the experience of the past behind them. In many cases representatives have come in, because people did not care as to who should represent them, and the result has been that that the northern portion of Calcutta has not received the same amount of attention that it deserves. Though along with my colleagues I felt it my duty to secede from the new Corporation under circumstances I need not now advert to, yet I am ready and willing to acknowledge the services of the new Commissioners specially of the gentlemen representing the Chambers of Commerce, who have taken great pains to beautify and adorn the town. That the north has not received the same care as the south, is one not so much to the apathy of the Commissioners as to their ignorance of the conditions of the northern town.

"So long as my hon'ble friend continues to be the Chairman of the Corporation, we are fully assured that the Indian portion of the town will not be neglected: he knows the people and the people know him: he knows their wants and grievances, and is always ready to come to their rescue, but those who have been in the Corporation can alone realise how difficult it is for the Chairman to direct funds to be spent in any particular area unless he is strongly backed by the representatives of that area: a stronger representation takes away from what ought to have gone to a weaker neighbour. Situated as we are the only person we look forward to is the Chairman, and we have found

him always ready and willing to help us. But, Sir, this state of things is not satisfactory. The Hon'ble Mr. Greer has lived down the sinister reputation that the Corporation had acquired of extinguishing its Chairman, but the Corporation cannot hold him tied down for ever. It is necessary that the people should be given some voice, and I submit a preponderating voice, in their own affairs.

"The defects of the present constitution of the Corporation are admitted even by those who were its warmest supporters at the start and I appeal to Your Honour's Government to take a step forward. I am sure Your Honour will be the last person to adhere to a policy after it has been found wanting and there is no doubt that the policy which evolved the Municipal Corporation as now constituted, has been found to have been misconceived. Calcutta requires expansion, its people want more elbow-room. The people of the northern part justly complain of the want of a space like the maidan in the south. Let us extend the limits of Calcutta westward across the river, northward and eastward across the canal. It is cruel to remove bustees without providing accommodation for the poor people to live in the outskirts of the town. There are no healthy quarters in the outskirts, no easy and cheap railway communication to bring the people in. The Improvement Scheme of Calcutta will fail, if we cannot provide for a healthy and easily accessible suburban area. Indications are not wanting to show that Your Honour has in view a large scheme for the re-organization and reconstitution of the Corporation of Calcutta. We hope they are correct and we pray for a generous consideration of the claims of the people in any such scheme that may be framed.

"Referring to the Improvement Scheme the public are rather surprised that its details have hitherto been kept back from them. It is incomprehensible why the public are denied an opportunity of expressing their views on any measure until it has reached a stage were public criticism becomes useless, either because the scheme has become so far developed that any material alteration is impracticable or because the prestige of the Government is likely to suffer if it makes concessions to public opinion. It would have been a great advantage to the Government and to the public if the outlines of the scheme, specially its financial provisions, had been well considered here before they were submitted to the Secretary of State. Now that the sanction of the Secretary of State has been received, the scheme should be published for public information and criticism without keeping them in further suspense. In this connection may I appeal to Your Honour to give the people an adequate representation in any constitution that may be framed for carrying out the scheme, so that the difficulties of the people affected may be properly considered and justly dealt with and what is more the people may feel that they will be justly dealt with.

"There is one other matter to which I wish to refer before I close. There is a great deal of alarm at the threatened imposition of further cesses under the Local Self-Government Bill. It stands hardly to reason that with a treasury overflowing with surpluses further fresh taxation should be resorted to.

"The public are also alarmed at the rumours of the introduction of a measure which will place the ignorant Bengal villager under the clutches of the Police. Balers and shippers may refuse to buy wet jute, but it is unreasonable to expect the Corporation or Government to send people to jail because they fail to supply to balers and shippers jute of the quality contracted for. It would be as reasonable to expect balers and shippers to be sent to jail if they fail to pay the price of the jute they contract to buy.

"Sir, I have detained, I am afraid, Your Honour's Council at great length. I thank Your Honour for the patience with which you have listened to our tale of grievances. Busy men as we are no one realises more than we do the tiresome repetition which we feel it our duty to inflict on this Council; but this is our only opportunity to make ourselves heard; we are told that our platform resolutions passed at meetings, some of which we attend at considerable sacrifice, are the mere expressions of opinion of meddlesome busy bodies

[*Babu Bhupendra Nath Basu ; Babu Kali Pada Ghosh.*]

and we are not above feeling a suspicion that our speeches in Council count for little more. If the Government had realised how much a resolution which it pens in the seclusion of its bureau, how much a Bill which it drafts in its Secretariat recess, moves the palpitating mass of humanity placed under its care, weak and weighted down it may be, but swayed by the same emotions as their more fortunate brethren and trying to lift the burden of centuries of ignbrance and misgovernment; if they had realised how a scheme dividing the language or the people, looking so simple on paper; how a resolution which undoes the gracious promise of the late Queen and excludes the people for nothing else than the crime of colour from appointments in their own country, even in the Department of Police, for we are willing to accept any challenge on the ground of fitness, sends a throbbing motion of pain through their fibres penetrating down to the very centre; if they had realised how this same mass of humanity, not often trusted and often misinterpreted and misunderstood, turn in their hopelessness and helplessness to the generous promises of noble Englishmen, who in the past have come to their rescue, our Government would pause and would give a more patient and sympathetic hearing to our representations. I have every reason to trust that though effect may not be given to what we believe is conducive to the interests of the people, our humble representations will receive sympathetic attention at Your Honour's hands."

The Hon'ble Babu Kali Pada Ghosh said :—"I beg to offer my hearty congratulations to the Hon'ble the Financial Secretary on the presentation of a budget which very well may be called a Prosperity Budget. It is gratifying to find that there has been an increase of over 12 lakhs to the receipts for the current year, as originally estimated. The consideration of the details in connection with this increase shows that on one single item, *viz.*, Stamps, there has been an increase of 3 lakhs. In explanation of this increase we are told that it is due to an unusual expansion of Stamp Revenue, chiefly under the head of 'Court-fee Stamps.' This evidently means that there has been an unusual increase in litigation, and I would ask the Hon'ble the Financial Secretary to favour us with an explanation as to the cause which has occasioned this increase. Although I myself am a lawyer, I cannot say that I can felicitate the country on this enormous expansion of litigation.

"Turning to the expenditure side, we find that in the current year there have been savings amounting to Rs. 22,55,000. This is certainly not a matter for congratulation. These savings have evidently been achieved by deferring the execution of several reforms, such as schemes for the improvement of salaries of the ministerial officers, for an increase in the number of Deputy Collectors and the re-organisation of the Subordinate Executive Service and for Educational reforms. While placing the Financial Statement for the current year in March last, the Hon'ble the Financial Secretary congratulated himself on the introduction of a budget under which these much-needed reforms would be carried out; but it is to be regretted that very little progress was made during the year towards executing any of them. In explanation we are told that necessary sanction could not be obtained before the close of the year; but, considering the fact that these schemes have been in contemplation for some years past, this explanation is rather disappointing, and we do not know when we shall see the actual completion of these measures.

"It is indeed satisfactory to notice that in the budget placed before us the permanent expenditure, allowed to the Local Government in the Financial Settlement, has been increased by Rs. 53,98,000, and that this increased amount has been distributed on several schemes involving urgent reforms. But, as regards the improvement of the position of ministerial officers, I must confess to a sense of disappointment. In the budget estimate for 1904-05 provision of 4 lakhs was made on this head; but in the budget under consideration the amount provided is only Rs. 2,75,000, *viz.*, Rs. 1,11,000 shown under 'Land Revenue' and Rs. 1,64,000 under 'Law and Justice.' Will the Hon'ble the Financial Secretary be good enough to explain the cause of this reduction in the course of his speech?

[*Babu Kali Pada Ghosh.*]

"The said sum of Rs. 53,98,000 includes the magnificent Imperial grant of Rs. 34,50,000—a grant for which we are deeply grateful to the Government of India. This grant has been made for special purposes, *viz.*, for Police and Educational reforms and grants to District Boards. These are certainly objects on which money cannot be too largely spent; and we hope the reforms, for which these assignments have been made, will be fully carried out before the close of the next financial year.

"Coming to the subject of 'Education', we find that in the budget placed before us the grant on this head has been raised from Rs. 35,19,000, provided in the current year's budget estimate to Rs. 47,52,000. We are deeply grateful for this increased appreciation of our educational wants; but, having regard to the growing needs of our people and our vast population, the grant must be regarded as not sufficiently adequate.

"I would next turn to the subject of Police reform—a subject which was agitating the minds of our countrymen for a considerably long time and which has at last been set at rest by the Resolution of the Government of India recently published. In paragraph 8 of his Explanatory Note, the Hon'ble the Financial Secretary has expressed his high appreciation of the character of the reforms, inaugurated by the said Resolution, but I regret I cannot fully share the Financial Secretary's views on this subject. The provisions made for raising the pay of the Constables and Sub-Inspectors are certainly welcome, as they are an improvement, although not much, on the existing state of things; but those regarding the appointment of higher officers of the department have been received by us with a sense of profound disappointment. The distinction made between the appointment of European Assistant Superintendents and of Indian Deputy Superintendents, based as it is on racial considerations, is most lamentable.

"Then, again, we find that the promotion to the grade of District Superintendent will, in the case of European Assistant Superintendents, follow in the usual course but in the case of Indian Deputy Superintendents it has been considered inexpedient to reserve any fixed number of District Superintendentships, and they will be only eligible for promotion when their fitness is fully established. The practical result of these provisions will, we are afraid, be to shut the door to higher appointments in the department against the people of the country. Our disappointment is all the more keen that such a state of things should evolve out of the labours of a Commission which was presided over by a just and sympathetic ruler of the country like Your Honour.

"The object for which the grant of 12½ lakhs has been made to the District Boards has sufficiently been explained in the Financial Secretary's Note; but I desire to point out that what is wanted on the interior of the country is not so much roads and communications as an adequate supply of pure drinking-water. I trust that a large portion of this grant will be devoted to this purpose, and may I be permitted to express the hope that Your Honour's Government will be pleased to issue instructions upon these lines to the district authorities? The researches of eminent experts have left no doubt that among the potent causes of cholera and malarial fever is bad and impure water; and a Government which removes this want will be entitled to the unspeakable blessings of the country.

"I will next invite Your Honour's attention to a matter which specially affects the division of Chota Nagpur which I have the honour to represent in this Council. It is a question connected with Irrigation in that part of the country. The failure of rice crops in Chota Nagpur has been somewhat too frequent in recent years; and in the year 1897-98 it resulted in a severe famine. This failure can hardly be attributed to want of rainfall, as we have scarcely less than fifty inches in a year, but it is generally due to the failure of what is called *katiya* rains of October. In the event of their failure, the only means of saving the crops lies in artifical Irrigation; but the *bunds* and *ahars* which afford the only feasible means of irrigation in Chota Nagpur have in most

cases gone out of repair and their beds are silted up. The landlords in Chota Nagpur are generally spendthrifts, and they have neither the means nor the inclination to undertake reforms in this connection, and the only improvement of the *bunds* is to be looked for from the tenantry. But the tenants, if left solely to their own resources, will hardly be able to do the needful in this matter.

"The system of advancing loans for improvement of *bunds* has not proved a success in Chota Nagpur, as the rigorous realization of arrears through peons has proved a source of harassment and given rise to a feeling of general repugnance to have recourse to Government for loan. Although a considerable portion of the division, I may say more than half, is practically under Government management,—I mean the portion comprising Government estates, Wards' estates, Encumbered estates—it is to be regretted that even in these estates very little has hitherto been done in the way of executing useful works of irrigation.

"The Report of the Indian Irrigation Commission, which held its sittings in 1902, strongly emphasizes the necessity of improving the existing *bunds* and *ahars* and increasing their number, as will appear from an extract I quote from the said report :—

> The beds of *ahars* are silted up. The *bunds* are worn down and out of repair. In the repair of these *bunds* and the increase of their number lies the advancement of Irrigation in Chota Nagpur. In this undulating tract with its copious, if irregular, rainfall, there must be numberless small streams, the waters of which could be dammed and diverted into tanks and utilised in saving the crops at critical seasons.

"In regard to the estates under Government management, the report makes a pointed reference to the fact that much more should be done than at present by Government in its capacities of landlord and manager. We do not know how far the recommendation of the Irrigation Commission has been given effect to; and I think I shall be justified in pressing upon the attention of Government the adoption of measures calculated to give adequate relief in a matter of such vital importance. In estates under Government management, the Government can certainly do a great deal in its capacity as landlord or manager; and in other parts of the divisions where people, on account of their limited resources, are unable to do the needful, and specially where *bunds* are necessary across streams whereby water is diverted by a *pair* to a series of *ahars* and which the people cannot construct for want of any general power of combination amongst them, Government will, I trust, render adequate help by suitable grants out of the funds at its disposal. Having regard to the grants made to the District Boards by the Government of India, I venture to suggest that a part of this grant, so far as Chota Nagpur is concerned, may usefully be ear-marked for this important purpose.

"I have no desire, Sir, to make my tale of grievances too heavy, but I cannot conclude without drawing Your Honour's attention to another matter which is also of great importance, affecting as it does the constitution of District Boards in Chota Nagpur. In four out of the five districts in this division we have got Boards, but all of them are composed on a nomination system. Whatever might have been the state of things in the past, Chota Nagpur has in recent years made satisfactory progress; and I venture to submit that time has come when the Boards in Chota Nagpur should be constituted on an elective basis. I fervently pray that Your Honour's Government may see its way to give an impetus to the legitimate aspirations and loyal sentiments of the people by introducing the elective system into the composition of the Boards and thereby earn the deep gratitude of the people of Chota Nagpur. Having regard to the fact that Ranchi is soon destined under the benevolent auspices of Your Honour's Government to be a centre of high education, it is proper in the fitness of things that the boon of Local Self-Government should precede the introduction of that higher education which will foster and promote such an institution."

The Hon'ble Mr. GREER said :—"Your Honour, the Hon'ble Member for the University has referred to matters connected with the Corporation, and

I desire to say a few words on the subject. I am accustomed to hearing complaints regarding the neglect of the Northern Wards of the City, but I am unable to find out any period in which so much has been done to improve the locality as during the past few years. I do not propose to weary the Council with details of Municipal Administration; they are to be found in the annual reports. I would only ask the Hon'ble Member to consider at what period in the history of the City of Calcutta has so much money been devoted and attention given to the wants of the inhabitants as regards conservancy, the cleansing of streets and *bustees*, the water-supply, the opening out of public squares, and such like municipal conveniences. The answers will be found in the annual reports. The area is overcrowded with buildings, constructed in defiance of sanitary laws, and people, the majority of whom have an elementary knowledge of the principles which govern the public health, and the Corporation have a most heavy task in coping with the evils which they have received as a legacy from the past. They are facing the difficulty and will continue to do so, but it is only reasonable to ask for a proper comparison to be made of the state of things in the present and the past and for an exercise of patience for the development of improvements which are being carried out. As regards the unfiltered water-supply, I do not consider it a satisfactory system. In my opinion it should never have been introduced. An accidental breakdown of the engines at Mullick's Ghât brought about a temporary failure of the unfiltered water-supply last year, but the pressure has been fairly maintained since then, except a short interval for the repair of the main. The main pipe along the Strand Road is unduly small for the demand of the northern part of the City, and, in order to meet the difficulty, provision has been made in the coming financial year for the construction of a 24-inch main at a cost of Rs. 66,000, which will increase the pressure by 15 feet. I would here briefly note that a scheme is under consideration to abolish the unfiltered water-supply, substituting filtered water throughout the town and giving the inhabitants an ample supply of pure water. I do not know the Hon'ble Member's source of information regarding the completed sewers in the suburbs declared to be unfit for use. I am informed by the Engineering Department that the total length of sewers to be constructed under the Suburban Drainage Scheme in round figures is about 43 miles, and that a total length of 99,000 feet were finished before the year 1900. Of this finished length already taken over, so far as they have discovered, 200 feet have failed owing to unforeseen causes, or about ·2 of the total length.

"A reference has been made to Local Self-Government in Calcutta. I would ask your permission to say a few words on a subject which I trust will engage the attention of the Council at no distant date and bring about legislation in the interests of Municipal Government in this City. Your Honour has lately issued a Resolution which should have the effect of the needful information being collected and definite proposals being prepared for the consideration of this Council. I refer to the Borough system. It is in force in London, where various complications exist owing to the presence of conflicting authorities—the Local Government Board, the London County Council, the Borough Council and Vestries. In Calcutta there is a clean page, so to speak, in the absence of vested interests. Briefly speaking the system consists in the creation of a number of Boroughs working with a certain degree of independence in subordination to a central authority—the Corporation. The preliminary steps in this direction have been taken in Calcutta since the passing of the existing Municipal Act by the division of the City into four districts, each provided with a District office, equipped with Engineers, Health Officers and Building Surveyors and the necessary subordinate staff, clerical and outdoor. The annual budget of the Corporation now shows the distribution of municipal funds under various municipal heads amongst the four districts. A process of decentralisation has thus been carried into effect, but any further substantial progress requires legislation, and the creation of Boroughs is the natural and needful step. The time therefore has come for extending the system by giving each of these districts some degree of independence for the

discharge of its municipal duties. Under such a system the Corporation, including the representatives from Borough Councils, would retain in their hands works which may be classed as Metropolitan, as, for example, main drainage and water-supply, and especially the preparation of the annual City Budget with control over Borough Budgets. The Corporation and the head-quarters staff would thus be relieved from dealing with an enormous mass of petty works and details, and could devote more time to important major operations.

"On the other hand, the Borough Councils, working within Budget limits, might deal with local affairs, the cleansing of the Borough area, the watering and lighting of its streets, and numerous minor works. The Borough Council might work with its own Chairman (a non-official) and Committees, and many representative men would find ample scope for their energies in these local administrations. It is desirable that the services of these men should be utilised in municipal affairs and, there being proper guidance, the public would derive great benefit from them.

"Such is the first part of the scheme, but I am strongly of opinion that to stop at this point would be to shut our eyes to a portion of the measure which presses most urgently for attention, namely, the extension of the system to the Suburban Municipalities and their amalgamation in the Borough system under the Corporation. To an outsider the Suburban Municipalities and the City proper together constitute Calcutta. In many cases the wants of the inhabitants of these areas are alike. Many of these Suburban Municipalities have direct concern in the work of the Corporation, as for example in the Water-Supply and Main Drainage Schemes, and the interests of the residents would be benefited by their representation on the central body.

"It is desirable that a systematic form of Municipal Government should be established over Calcutta and its Suburbs, and that the latter should be brought into more close communication with the central authority. There is an imminent danger of the Suburban Municipalities being overrun by the surplus population of the City and the evils being repeated in them which are now menacing the prosperity of Calcutta.

"The second part of the scheme presents extra difficulties as regards taxation and other details, but there is no need for uniformity in all particulars, and the measure does not necessarily contemplate the imposition of the existing rates and taxes of Calcutta over the Suburban Municipalities. I have said that I trust some such measure may be considered by the Council at no distant date. It involves no admission of failure in the past, but merely implies a natural development of existing conditions. I am of opinion that the change is called for alike in the interests of the Government and the rate-payers, and that a postponement of the measure would involve an increase in the difficulties to be met with hereafter in introducing this great and needful reform."

The Hon'ble MR. CARNDUFF said:—"Sir,—It will not be necessary for me to detain the Council long; for the Education and Judicial Departments have been very liberally treated, and the tone of the speeches to which we have been listening, is so far as those Departments are concerned, in the main congratulatory.

"For primary education the special assignment of ten lakhs of rupees will enable us, through the District Boards, to make an effective start in the direction of providing decent buildings for primary schools and so supplying a very real want and removing a reproach; to carry out a scheme for the development of indigenous Muhammadan primary schools; to extend facilities for education in rural areas, in some cases by establishing primary schools with courses specially adapted for the children of the agricultural population, and in others by converting a number of existing lower primary schools into schools with simpler courses of study and shorter hours of attendance; to raise many

lower primary to the rank of upper primary schools, and to establish new schools of the latter class; to found additional training schools for teachers for rural primary schools; and to strengthen the subordinate inspecting agency, which is, and has for years been, very inadequate.

"As regards the proposal for the translation into the various dialects of text-books for lower primary schools, I would remind the Hon'ble Babu Ambika Charan Mazumdar, the Hon'ble Mr. Chaudhuri and the Hon'ble Babu Bhupendra Nath Basu that the Lieutenant-Governor has lately agreed to extend till the 15th April the period within which opinions will be received. I am, therefore, not now in a position to make any definite statement on the subject; but the Hon'ble Members may rest assured that it will be approached with an open mind, and that their objections will be carefully considered. The special scholarships, regarding which one Hon'ble Member has asked for information, are industrial scholarships intended for Indian students proceeding abroad to study technical subjects. Four such scholarships have been provided for students who are now reading at the Birmingham University, and two mining scholarships will be tenable by students attending the Civil Engineering College at Sibpur. The Nizamat scholarships mentioned in the budget will be awarded, as heretofore, to deserving members of a noble Muhammadan family. The Kindergarten system has now been regularly introduced, and the expenditure of almost a lakh of rupees for the purchase of new and improved appliances has been sanctioned. As regards training schools for gurus, the intention is to establish these at sub-divisional headquarters, and proposals for the creation of training colleges have been submitted to the Government of India. How great are the needs of Bengal in this respect is strikingly seen when it is stated that the percentage of trained teachers in primary schools in this Province is 4·1 only, as against 23·4 in Madras, 34·1 in Bombay, 39·2 in the United Provinces, and 48·3 in the Punjab. The present training schools are not suitable for the purpose of training teachers for rural primary schools, and are barely sufficient to produce enough teachers for upper primary and middle vernacular schools. It is proposed, therefore, to open special training schools for the teachers of rural primary schools, and it is considered necessary to open not less than 70 such schools, each capable of training 40 students a year; but even at this rate it will take some sixteen years to provide for the existing number of rural primary schools. A scheme for the re-organisation of the Educational Services is as I have had occasion to state in answer to a question in Council two weeks ago, now before the Imperial Government, and, if it is sanctioned, special provision will be made for the funds required to carry it into effect.

"The Hon'ble Babu Bhupendra Nath Basu has urged that hostels and quarters for professors should be provided for in connection with the Presidency College. I would remind the Hon'ble Member that the Eden Hindu Hostel for students was established some years ago; and I may add that the question of building quarters for professors near the College is under consideration.

"As regards the proposal to raise the Bihar School of Engineering to the status of an Engineering College, I am not in a position to say more at present, in reply to the Hon'ble Babu Saligram Singh, than that the question has not been lost sight of.

"The Hon'ble Mr. Larmour has referred to what he has styled 'primary technical education,' and here, no doubt, much remains to be done. When communicating their orders upon the Report of the Committee on Industrial Education, the Government of India asked this Government to prepare a scheme, and promised financial aid to it, if approved. They observed that it would probably be found that the industry to be dealt with first should be weaving; and accordingly this Government convened a Conference at which both the Bengal Chamber of Commerce and the Bengal National Chamber of Commerce were represented. The result was that definite proposals for the improvement and encouragement of the hand-loom industry were submitted to, and are now

before, the Government of India. That scheme will, of course, be but a beginning, and will, it is hoped, be only the first of others having for their object the training of the ordinary artisans to whom the Hon'ble Member has referred. Proposals for the improvement of the bone and hide-curing industries have already been put forward, and the Hon'ble Member now mentions wood-work and other handicrafts. It is the intention of this Government to turn to these as soon as the weaving scheme has been fairly started.

"In the Judicial Department the claims of the ministerial establishments attached to the Civil Courts have not been overlooked, and I am glad to be able to say that a proposal to strengthen the Nazarats in particular is about to be referred to a strong Committee, which will meet probably next July.

"The explanation why the budget provision for temporary Subordinate Judges during the current year has not been fully expended is that, whereas we provided for three extra officers throughout the year, it was found unnecessary—and the Government was guided in the matter entirely by the Hon'ble Judges of the High Court—to employ them for more than six months. As regards the figures relating to District Judges, the fact is that some of the expenditure budgetted for last year, though falling under the heading 'District and Sessions Judges,' was intended to meet the cost of the appointment of night-watchmen for the civil courts, and fewer appointments than were anticipated were found to be actually necessary.

"The outcome of the recommendations made by the Police Commission will, I believe, be dealt with by another official Member, and I need not offer any remarks on the subject."

The Hon'ble MR. SHIRRES said:—"Sir, I have to thank the Hon'ble Members who have spoken for the congratulations which they have been good enough to give me and also for the courtesy with which they have responded to my request that they would furnish me beforehand with an indication of the particular topics they proposed to touch upon. I regret, however, that in some cases the intimation was received too late for me to examine or deal with the facts and figures other than those relating to the budget.

"In the first place I may endeavour to re-assure as far as I can those Hon'ble Members who see nothing but discouragement in the increase of revenue under various heads. The increases under Stamps were principally in the following districts:—

	Rs.		Rs.
Mymensingh ...	39,000	Bhagalpur ...	59,000
Tippera ...	39,000	Purneah ...	74,000
Gaya ...	56,000	Backergunge ...	33,000
Mazuffarpur ...	64,000	Calcutta ...	1,71,000

"In Calcutta there was a large increase under general stamps. In the other places the increase according to the explanations which have been received is due partly to the Survey and Settlement operations and partly to additions to the Judicial staff.

"The Survey and Settlement operations, however, although they bring matters to a head at the time tend to prevent subsequent litigation. Also the increases following on additions to the Judicial staff are due in part to the clearing off of arrears. On the other hand it is probable that other additions to the Judicial staff on which we have been congratulated will lead to enhanced receipts in other places.

"Again the Hon'ble Babu Ambika Charan Mazumdar complains of the increased estimate for ordinary collections of Income-tax which he contends is not fair and legitimate. If, however, he will turn to paragraph 20 of the Explanatory Notes he will see that the average annual increase during the four years ending with the year 1902-1903 from the classes who are still liable to assessment was Rs. 1,73,000. Against this average increase of Rs. 1,73,000 we have

estimated for an increase of only one lakh. Although, therefore, we have not budgetted for a decrease our moderate estimate contemplates the possibility of a large falling off in the rate of increase, and perhaps that may satisfy the Hon'ble Member.

"As regards 'Excise' I need only refer to the speech of the Hon'ble Mr. Baker in the Imperial Council on Wednesday which dealt fully with the subject.

"My hon'ble friend Babu Bhupendra Nath Basu makes out that the new settlement gives a net loss of Rs. 25,69,000 a year. I do not propose to go over the discussions regarding the financial settlement again or to take up the time of the Council with an explanation of the figures. I have however a statement here showing that both in the current year and next year there is a net gain instead of a net loss. This statement I will lay upon the table.

"Several Members have expressed regret at the existence of savings due to our failure to obtain sanction for large schemes especially to the scheme for the improvement of the pay and position of Ministerial Officers. The savings on account of the scheme for Deputy Magistrates are comparatively small because the large grant which the Government of India have promised will not be made until a scheme is sanctioned. The proposals regarding the Subordinate Executive staff have now been sanctioned. As regards Ministerial Officers I can only say that this Government has spared no efforts to push the scheme through and equally shares the regret expressed by the Hon'ble Members. There was no cut and dried scheme ready beforehand, but as soon as we knew that money was likely to be available one was prepared. I fear that I must plead guilty to having been far too sanguine when I spoke last year of our ability to push through quickly a scheme of such magnitude. The preparation of the Proposition Statement by the Accountant-General was a *magnum opus* in itself and took time. The scheme also was bound to contain and did contain many debatable points, and at the instance of the Government of India the Lieutenant-Governor has directed the appointment of a Committee to prepare a larger scheme. The Lieutenant-Governor hopes however that it may be found possible to allow an *ad interim* increase of some kind without waiting for the report of the Committee. I may also explain that the reduced provision for Ministerial Officers in next year's budget to which allusion is made by the Hon'ble Babu Kali Pada Ghosh is not due to the scheme having been cut down but to the fact that we do not anticipate that any orders of the Secretary of State can be received for some time and we have therefore provided for payment for only part of the year. If, however, sanction is obtained at an earlier date we shall transfer money from some other heads so as to enable payments to be made at once.

"The Hon'ble Mr. Larmour has expressed the hope that if Chittagong goes over to Assam the grants we are now making to that port will be refunded. The money, however, was made over to us by the Government of India expressly for expenditure on Chittagong and I fear that if Chittagong goes the money goes with it. Nor can I satisfy the Hon'ble Member with any promise that the Provincial Government will make any large contribution towards the cost of the Improvement Scheme. The expenditure in Calcutta on Public Works, Medical, Education and Police is large and we have just heard a complaint from the Hon'ble Mr. Chaudhuri on the subject. Regarding the scheme for housing Government servants in Calcutta I may say, however, that when it again comes before this Government, as no doubt it will do, the remarks of the Hon'ble Member will be carefully considered.

"Regarding Water-Supply I may say that the special grant which we made at the beginning of the year has been all utilised and in fact has been exceeded, but we met all the demands which were made upon us. On the general question I have nothing to add to what has been repeatedly said and I shall confine myself to quoting remarks made by the Hon'ble Mr. Baker with

which I entirely agree. He dealt with this subject in three successive years but I shall content myself with quoting the remarks made in 1900—

> But the notion that the Government can by any action on its part provide the people with an adequate supply of good water is an absolute chimera. Nothing can be done except by the people themselves. Last year I pointed out that almost every village in Bengal possessed one or more suitable tanks or wells which, if properly looked after, would provide all that is required. In 1896 it was pointed out that in 1882 Government gave a grant of one lakh for Water-Supply in Nadia, yet in produced no material effect. What is wanted is that the zamindars and the villagers themselves should re-excavate and maintain existing tanks. A doctrine of self-help is usually distasteful; but in this vitally important matter there is no other possible remedy.

"As regards Malaria also I have little to say that is new. We have made arrangements to manufacture more Quinine, we have increased the quantity of quinine in pice packets from five to seven grains and we are arranging to increase the number of distributing centres. The Hon'ble Mr. Chaudhuri derives no comfort from the entry of Rs. 40,000 for the enlargement of the Cinchona factory in order to increase the supply of quinine because he fears that Government may derive a profit from the manufacture. Let me re-assure him on that point. Owing to improved processes the cost of manufacture is constantly being reduced but as soon as we find that such is the case we pass on the benefit to the public. Recently finding that there was a profit we increased the quantity of quinine in pice packets from 5 to 7 grains. I may also direct attention to another entry in paragraph 14 of the Explanatory Notes. The entry in question is Rs. 3,75,000 which is part of a contribution of 5 lakhs towards the cost of the Mograhat Drainage Scheme.

"The Hon'ble Member also makes the statement that I am unable to show any expense under the head of remedial measures in respect of such preventable diseases as Cholera and Malarial Fever. I have just referred to certain items of specific expenditure and in addition to those I would point out that the medical expenditure shown in the budget for next year amounts to 22¾ lakhs of rupees. This money is for the purpose of combating all disease but inasmuch as Malaria is the principal disease in this Province it may fairly be said that a large part of this expenditure is devoted to combating that disease.

"The Hon'ble Babu Bhupendra Nath Basu referred to the condition of the Sub-division of Arambagh. The report of the Civil Surgeon of Hooghly for the year 1904 shows that no special inundations took place in the district during the year. It is stated that the year was less unhealthy than usual, and every registering circle in the distdict shows a diminution in death-rate. It is also reported that for the whole district the fall is most marked in Malarial fevers. The Civil Surgeon says that the decrease in the death-rate is not due to any slackness in registration but that it represents a really lower number of deaths.

"There has not been time to obtain the opinion of the Medical Advisers of Government on the request for a Commission of Enquiry. The suggestion will in due course be submitted for His Honour's orders, but speaking for myself as a layman I am inclined to think that what we require at the present stage is bacteriological enquiry of the facts known rather than a Commission for the purpose of ascertaining new facts.

"With regard to Plague I may say that we have met all the applications for money that have been made and only a few days ago Government gave additional grants of Rs. 6,000 to the Commissioner of Patna and of Rs. 1,500 to the Commissioner of Burdwan. As Hon'ble Members are aware it is very difficult usefully to incur much direct expenditure on Plague. The people do not welcome inoculation or disinfection, and there is no use building huts to assist in evacuation unless the people are willing to occupy them. As I said last year Government has not up to the present been deterred by any expense it has been called on to meet and the difficulty is to carry the people with us. The decrease in Plague expenditure referred to by the Hon'ble Mr. Chaudhuri was due to the abandonment of the policy of segregation camps.

[*Mr. Shirres; Mr. Inglis.*]

"Lastly, I may refer to the urgent prayer of the Hon'ble Babu Kali Pada Ghosh for the introduction of the elective system into Chota Nagpur. I would remind the Hon'ble Member however that it is only a few years since District Boards were established in Chota Nagpur and the elective system can exist only where there are Local Boards. There is only one Local Board in Chota Nagpur namely that in the Gobindpur Sub-division of the district of Manbhum. This Local Board was established about two years ago and will in due course elect members to the District Board. The local officers will be consulted on the suggestion that the people should be allowed to elect their representatives, but I may point out that in more advanced places the Government is frequently compelled to nominate members because of the failure of elections."

Statement showing loss or gain in Revenue by the Financial Settlement of 1904.

	Provincial Shares under the old Settlement.		Provincial Shares under the new Settlement.		Difference.	
	Revised 1904-05	Budget. 1905-06.	Revised 1904-05.	Budget. 1905-06.	Revised 1904-05.	Budget. 1905-06.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
			Receipts.			
Stamps ...	1,56,00	1,60,50	1,04,00	1,07,00	...	...
Excise ...	83,50	86,75	73,06	79,91	...	...
Assessed Taxes	25,00	25,50	12,50	12,75	...	...
Forest ...	5,90	6,00	2,95	3,00	...	...
Registration	8,50	8,50	17,00	17,00		...
	2,78,90	2,87,25	2,09,51	2,19,66	(−)69,39	(−)67,59
Adjustment	−14,19	−14,19	−4,90	−49,03	63,22	63,22
	2,64,71	2,73,06	2,58,54	2,68,69	−6,17	−4,37
Customs—						
Receipts ...	2,64	2,58	...	...	...	...
Expenditure	10,52	11,00	...	...	...	...
Net ...	−7,88	−8,42	...	...	+7,88	+8,42
					+1,71	+4,05
			Expenditure.			
Stamp ...	5,34	5,25	3,56	3,50	...	...
Excise ...	4,10	4,32	3,59	3,78	...	...
Assessed tax	80	79	40	39	...	...
Forest ...	3,42	3,82	1,71	1,91	...	...
Registration	4,82	4,98	9,65	9,96	...	...
	18,48	19,16	18,91	19,54	−43	−38
Refunds ...	1,63	1,62	1,11	1,09	+52	+53
					+9	+15
				Net gain ...	1,80	4,20

The Hon'ble MR. INGLIS said:—"Sir, the Hon'ble Mr. Chaudhuri has drawn attention to the necessity for works of Sanitary Drainage. He has particularly drawn attention to the necessity for removing shoals at the heads of dead or dying rivers, so as to cause the flow from the parent stream to again enter on them. I think, Sir, we are all agreed that this is an ideal to be desired. I am, however, afraid that in the vast majority of cases it must remain an ideal. In dealing with rivers such as the Ganges and the Brahmaputra, we are dealing with forces of nature on a vast scale. The beds and banks of these rivers are of an extremely changeable nature. It is almost impossible except at an

enormous outlay to hold permanently any fixed position. If, owing to the action of natural forces which are beyond our control, a parent river chokes up the head of one of its branches and opens out another in a different part of the country, we may endeavour to remove the shoal at the head, but we have, I think, no guarantee that we shall be able to prevent that shoal reforming almost at once. At the present time we have a survey party at work in the Jessore district to see whether it may be practicable to open a channel from the big flowing river into the Bhairub. If this could be done and maintained, the results would certainly be excellent. To show that we are doing something in the way of improving drainage, I would mention the Mugra Hât drainage scheme. This scheme, which involves a large sluice at Diamond Harbour, will provide for the drainage of a greater part of the 24-Parganas district. The scheme has been worked out in great detail. It will provide for the internal channels being navigable and for a lock into the river. It therefore promises to be of great value to the district.

"The Hon'ble Mr. Chaudhuri has also drawn attention to the desirability of doing more for the waterways. We are doing something in this respect. As I have already stated in answer to a question, we have so far developed the channel across the Madaripur *Bil* that it is now navigable for a part of the year. We have for the last three years been working quietly to improve the channel of the Ganges from Dinapore to Goalundo by a system of *bandels* or wing-dams. We have deepened the water over the shoals. The effect of this has been satisfactory so far as steamers drawing four or five feet are concerned. It has facilitated their progress up and down the river. It has also facilitated the passage of country boats downwards. On the other hand, it is not in favour of the up-stream traffic of country boats. We have also found certain difficulties arising from the fact that the across river traffic of the railway ferries comes into competition with the up and down traffic. I mention this merely to show that these schemes are not so easy to carry out as they are to suggest.

"The Hon'ble Mr. Apcar has asked that some contribution from the Hospital Port Dues Fund should be made for the Nurses' Home. As Secretary of the Marine Department I think I may say that there can be no objection to our giving some grant from the fund, which is, I am glad to say, an affluent one.

"The Hon'ble Mr. Apcar has also referred to the urgent necessity for silt clearing in Tolly's Nala. I quite admit the urgency of the case. I have this morning received an estimate from the Superintending Engineer, which amounts to Rs. 32,602, for removing the obstruction to the traffic. The obstruction is a recurring one owing to the fact that the tide flows up from both ends of the Nala. There is a certain point where the tides meet and where rapid silting must always go on. The silting at present has been allowed to get perhaps rather out of hand, but I think, Sir, I may assure the Hon'ble Mr. Apcar that we will take prompt steps to remedy the present state of affairs.

"The Hon'ble Mr. Larmour has suggested that it is desirable that the rate of interest on the Government loan to the Kidderpore Docks should be reduced. As he stated this matter was considered by the Government of India in 1896. The orders of the Government of India at that time were communicated in a letter from Mr. Finlay, who was then Secretary to the Government of India in the Finance and Commerce Department, and he wrote:—

I am directed to say that it is not possible for the Government of India to deal with the Port Commissioners upon principles different from those which they apply to their other debtors. I am directed to say that His Excellency the Governor General in Council regrets that he must adhere to the decision that the rate of interest on the Kidderpore Dock loan cannot be reduced. I am to say that the only concession in this respect which the Government of India would at present be prepared to make is that if the Port Commissioners consider they can raise money in the open market on more favourable terms than those on which they borrowed it from the Government, the Government of India will be willing to accept repayment of the present debt without raising any question as to the stipulation made regarding the period of repayment.

[*Mr. Inglis; Mr. Carlyle.*]

"The question is, Sir, I think rather of Imperial than of Provincial interest. If the Port Commissioners think it desirable to re-open the question, I am sure the Bengal Government will give their arguments full consideration; but having regard to the fact which the Hon'ble Mr. Larmour has himself stated, that the finances of the Port Commissioners are at present fairly prosperous, I do not think we can hold out much hope that the Government of India will re-consider their former orders."

The Hon'ble MR. CARLYLE said:—"The points on which I propose to touch relate to Police Reform, the Provincial Service, the Subordinate Executive Service, the Registration Department, Agricultural Expenditure, Village Banks and the Veterinary Department.

"As regards Police Reform, the Hon'ble Member has suggested that, if twelve lakhs, the grant from the Government of India will not suffice to carry out the reforms outlined by the Government of India for 1905-06, this grant should be supplemented from Provincial Funds. The Government of India lay down the following order of precedence for reforms to be introduced this year:—

(1) The strengthening of the Armed Police Reserves.
(2) The improvement of the pay of Constables.
(3) An increase in the number of Sub-Inspectors and the raising of their minimum pay.

"I am glad to be able to inform the Council that the funds placed at our disposal are sufficient to cover not only these but several other reforms, and that there is no necessity for supplementing the grant from Provincial Funds.

Armed Police Reserves.—As regards the Armed Police Reserves, it will not be possible to appoint Inspectors and Sergeants to any district armed reserve, as in a good many places it will be necessary to build quarters.

"*Constables.*—There will be a very substantial increase in the pay of constables. The pay of all constables will be raised to the minimum of their district. This will vary from Rs. 7 to Rs. 9 in different parts of the Province. (The present minimum varies from Rs. 6 to Rs. 7.) The average minimum rate of pay throughout Bengal will be approximately Rs. 8. In addition to this, every constable who has served for three years in a grade will get an addition of Re. 1 to his pay. For Calcutta the minimum pay of constables is to be raised to Rs. 10. In Bengal generally no deductions are at present made on account of the pension of constables and officers. In Calcutta there is a Police Superannuation Fund to which officers and men serving in the Police contribute. Steps are being taken to wind up this Fund and put the Calcutta Police on the same footing in this respect as the District Police.

"*Constables' Training Schools.*—I may mention that though the Government of India have not prescribed it for this year, funds will permit of the establishment of two training schools for constables through which recruits will pass. The training will last six months, and will include drill, an elementary knowledge of law, instruction in the duties of constables towards the public and the training of their powers of observation.

"*Sub-Inspectors.*—The present minimum pay of all Sub-Inspectors is Rs. 30 and the maximum pay is Rs. 80. The minimum pay will be raised to Rs. 50 and the maximum to Rs. 100. The number will also be increased by 130 or more so as to enable us to provide at least one Sub-Inspector for each investigating centre. Arrangements have already been made by the Inspector-General of Police for the accommodation and training of these officers at the Bhagalpur Training School. Before I leave this subject I must refer to the Hon'ble Babu Ambika Charan Mazumdar's complaint that they are no longer to be recruited by competitive examinations. I can say from personal knowledge, that we are now getting a far better class of men by nomination than the few who still enter by competition.

[*Mr. Carlyle.*]

"*Head Constables.*—Among reforms not prescribed for this year I hope it will be possible to deal with the case of head-constables and that the minimum pay of head-constables will be raised from Rs. 10 to Rs. 15. It should also be possible to give those who have served more than a certain time in the two lower grades promotion. I hope we will also be able to recruit more men so as to hasten the replacement of writer-constables by writer-head-constables.

"*Constables.*—Besides the increase of pay, it will also be possible to make considerable additions to the number. A considerable number of the present low-paid and very unsatisfactory class of town chaukidars will be replaced by town constables.

"*Sub-Inspectors.*—I have already mentioned that 130 Sub-Inspectors are to be recruited in addition to the men who were recruited towards the close of last year.

"It would be possible with the funds at our disposal still further to increase the number of men and officers recruited, but it could only have been done at the expense of the quality of the recruits. I understand from the Inspector-General of Police that a very good class of candidates is coming forward for recruitment to Sub-Inspectorships, but if we were to take more than a certain number, we would have to take men of an inferior class. I look upon it as a matter of the first importance that our Sub-Inspectors should be men not merely educationally qualified, but with such family connections and training as to make it easier for them to resist the temptations to resort to corrupt practices which are so frequent in the police.

"*River Police.*—Among reforms which though not specifically prescribed for next year are yet apparently considered very urgent by the Government of India is the introduction of a proper system of River Police. A Police Officer (Mr. Bramley, District Superintendent of Police, Benares) has been placed on special duty to draw up detailed proposals, and a commencement will I hope be made this year.

"*Criminal Investigation Department.*—Another reform which I understand the Government of India will allow us to undertake this year is the formal constitution of a Criminal Department under a Deputy Inspector-General, who will also deal with Railway Police. A commencement has already been made and the operations of the Department have met with considerable success, but it has been carried on under great difficulties, as the Deputy Inspector-General in charge (Mr. Knyvett) had to carry on the work in addition to his own duties.

"As the measures I have already detailed will not exhaust the funds at our disposal, I hope it will be possible to get the permission of the Government of India to make a commencement as soon as possible of the formation of the Provincial Police Service. I look upon this as one of the most important measures of reform advocated by the Police Commission and accepted by the Government of India and the Secretary of State. Another reform which, I hope, it may be possible to secure is the raising of all Inspectors' pay to the minimum accepted by the Government of India of Rs. 150. I hope also it may be possible to promote Inspectors who have been serving for some time in a grade. Again, as regards Assistant Superintendents of Police and District Superintendents of Police, I hope we may be able to obtain permission during the coming year to raise their pay to the minimum proposed by the Police Commission.

"I think that, very naturally, considering how short a time the scheme has been before the public, there has been some misunderstanding as to the exact effect of the measures stated in the Government of India Resolution on the prospects of Indians entering the Police Service. It has even been said that, so far from these prospects being improved, they are now worse than they were before owing to the fact that men promoted from the Provincial Service

to become District Superintendents of Police are to be treated on a different footing from the District Superintendents of Police recruited from Europe. It is quite true that the man who has risen from the ranks to the post of District Superintendent of Police has hitherto been theoretically qualified to rise to the same maximum pay as his colleagues who are appointed at Home. But, as a matter of fact, an officer is fortunate if he reaches the lowest grade but one by the time he is 55 when he in the ordinary course retires from the Service. Under the altered state of things, any officer appointed direct to the Provincial Police Service and who is selected for appointment as District Superintendent of Police may confidently expect to attain the highest grade open to men appointed in this country on Rs. 900 a month. Men who have worked their way through the ranks will not, in all cases, be able to reach this grade, but they will commence on Rs. 600, the highest pay to which they can now hope to attain.

"I must also again remind the Council of the great opening afforded by the Provincial Police Service independent of any prospects of promotion from it. I may add in conclusion that though there are excellent Indian officers in the force, I do not believe any radical reform is possible unless the superior staff is mainly recruited from Europe.

"I will now pass from details and make a few general remarks on the subject of Police Reform. The Police Commission found, and I do not think that any one in Bengal can honestly deny the correctness of their finding, that there is an enormous amount of corruption and inefficiency among the lower grades, and that, while there are many excellent officers in the higher grades, the average is not up to the standard required if police work is to be well done. It is obviously impossible to stop corruption in the lower ranks by merely raising the pay. It is not reasonable to expect, for instance, that because a constable's minimum pay is raised from Rs. 6 to Rs. 8 he will therefore straightway become an honest man. But, at all events, by raising his pay Government has done its duty. He will receive what is, at best, a living wage and he cannot plead necessity as an excuse for dishonesty. I do not think the comparisons made by the Hon'ble Mr. Chaudhuri are in point. He has left out of view, for instance, the fact that their service is pensionable. He has perhaps also forgotten in Calcutta the minimum pay will be Rs. 10. As regards the travelling allowance at all events a beginning has been made. In the case of higher appointments, such as that of Sub-Inspector, we hope by raising the pay to attract a well-connected and well-educated class of men. We have fortunately even now many such men in the service, and I hope that, in future, though they may be educationally inferior to our Deputy Collectors and Sub Deputy Collectors, they will come from the same class of society. If we succeed in getting such a class of men, I think there can be no doubt that these recruits from the upper middle classes of Indian society will behave in a very different way from many of their predecessors.

"As regards the ranks of the Assistant Superintendents of Police and District Superintendents of Police, they already contain many excellent officers whom it would be hard to better under any system, but there are a certain number below the average required for the difficult and important work of District Superintendent, and the number of such officers will, I hope, be greatly reduced, as under the terms now offered, men with better educational qualifications should in future be recruited in England.

"As regards the Provincial Executive Service, no one can regret more than the Chief Secretary the fact that this Government has been unable as yet to obtain the addition to the cadre which it considers necessary. I have had constantly to refuse what I consider to be most reasonable applications for additions to the ordinary staff on account of urgent and pressing work simply because I had not the men to send. I have at other times, and this I still more deeply regret, been obliged to refuse well-earned leave to men simply because they could not be spared. The Government of Bengal has corresponded for some time with the Government of India on the subject of increasing the cadre,

and the Government of India has in principle admitted the justice of our demands for a larger service. But fuller information has been called for as to the actual details of the number required. This information we submitted in January, and I hope before many months we will have received the sanction of the Secretary of State to a very large increase to the numbers of the Provincial Service.

"As regards the Subordinate Executive Service, I am glad to say that the proposals of the Government of Bengal have been accepted by the Secretary of State in full except as regards a few settlement appointments in connection with which further information is required. I hope that early next month the full number of extra men now sanctioned will have been appointed. The increase is very considerable. Including Deputy Superintendents of Excise, who are to be graded separately in future, the number has been raised from 105 to 225 men.

"As regards the complaint that competitive examinations have been abolished, I would refer to the Government Resolution which shows how limited competition was before, and that all that has been done is to substitute for the appointment of a small number by competitive examinations nomination by the Syndicate of the Calcutta University.

"One very important and most desirable result of the increase in the cadre will be that, when full effect is given to the proposals of the Bengal Government, it will be unnecessary to employ any outsiders or kanungoes as Assistant Settlement Officers.

"In this connection I cannot accept the views of two Hon'ble Members, Babu Bhupendra Nath Basu and Babu Saligram Singh, that the initial pay is insufficient. The number and quality of the candidates who now come forward show that the appointment of Sub-Deputy Collector is one much coveted by many well-educated and respectably-connected young men. A great boon has been granted by the creation of a grade on Rs. 250 for officers who have worked fairly well but who are not fitted for promotion to the Provincial Service.

"I now turn to the Registration Department. As regards this Department, final orders are awaited, but proposals have been submitted and generally accepted by the Government of India to place it on an entirely different footing and to pay Sub-Registrars by salaries instead of by commissions. It is also proposed to give a considerable increase of pay to the Sub-Registrars' clerks. Service in the Department will, if the proposals are accepted, be pensionable. The Registration Department, when once the scheme has been introduced and is in full working order, will no longer be the refuge of odd worn-out pensioners, and I have no doubt it will be found possible to utilise the rural Sub-Registrars in many ways, as registration work does not in most cases take up a Sub-Registrar's full time.

"Under the head of 'Land-Revenue expenditure,' I note the following items:—

Provision has been made of one and-a-half lakhs for Sundarbans reclamation work. Government is now trying the experiment of dealing direct with the raiyats, clearing the land and maintaining all necessary drainage and embankment works. So far the experiment promises to be very successful.

"The Government of India propose to distribute a large grant for Agricultural Experiments. The details are not yet settled, and I can only give a general idea of what is proposed. A few properly-equipped experimental farms, two to commence with, are to be started. Attached to these there will be a number of demonstration farms, each of which will as a rule only deal with one experiment which has been tried and found successful at the experimental farm. The object of these demonstration farms is to show the cultivators the effect of thoroughly-tested improvements.

to become District Superintendents of Police are to be treated on a different footing from the District Superintendents of Police recruited from Europe. It is quite true that the man who has risen from the ranks to the post of District Superintendent of Police has hitherto been theoretically qualified to rise to the same maximum pay as his colleagues who are appointed at Home. But, as a matter of fact, an officer is fortunate if he reaches the lowest grade but one by the time he is 55 when he in the ordinary course retires from the Service. Under the altered state of things, any officer appointed direct to the Provincial Police Service and who is selected for appointment as District Superintendent of Police may confidently expect to attain the highest grade open to men appointed in this country on Rs. 900 a month. Men who have worked their way through the ranks will not, in all cases, be able to reach this grade, but they will commence on Rs. 600, the highest pay to which they can now hope to attain.

"I must also again remind the Council of the great opening afforded by the Provincial Police Service independent of any prospects of promotion from it. I may add in conclusion that though there are excellent Indian officers in the force, I do not believe any radical reform is possible unless the superior staff is mainly recruited from Europe.

"I will now pass from details and make a few general remarks on the subject of Police Reform. The Police Commission found, and I do not think that any one in Bengal can honestly deny the correctness of their finding, that there is an enormous amount of corruption and inefficiency among the lower grades, and that, while there are many excellent officers in the higher grades, the average is not up to the standard required if police work is to be well done. It is obviously impossible to stop corruption in the lower ranks by merely raising the pay. It is not reasonable to expect, for instance, that because a constable's minimum pay is raised from Rs. 6 to Rs. 8 he will therefore straightway become an honest man. But, at all events, by raising his pay Government has done its duty. He will receive what is, at best, a living wage and he cannot plead necessity as an excuse for dishonesty. I do not think the comparisons made by the Hon'ble Mr. Chaudhuri are in point. He has left out of view, for instance, the fact that their service is pensionable. He has perhaps also forgotten in Calcutta the minimum pay will be Rs. 10. As regards the travelling allowance at all events a beginning has been made. In the case of higher appointments, such as that of Sub-Inspector, we hope by raising the pay to attract a well-connected and well-educated class of men. We have fortunately even now many such men in the service, and I hope that, in future, though they may be educationally inferior to our Deputy Collectors and Sub Deputy Collectors, they will come from the same class of society. If we succeed in getting such a class of men, I think there can be no doubt that these recruits from the upper middle classes of Indian society will behave in a very different way from many of their predecessors.

"As regards the ranks of the Assistant Superintendents of Police and District Superintendents of Police, they already contain many excellent officers whom it would be hard to better under any system, but there are a certain number below the average required for the difficult and important work of District Superintendent, and the number of such officers will, I hope, be greatly reduced, as under the terms now offered, men with better educational qualifications should in future be recruited in England.

"Turning to the Provincial Executive Service, no one can regret more than the Chief Secretary the fact that this Government has been unable as yet to obtain the addition to their number it considers necessary. I have had constantly to refuse what I considered the most reasonable applications for additions to the ordinary staff on account of urgent and pressing work simply because I had not the men to send. I have at other times, and this I still more deeply regret, been obliged to refuse well-earned leave to men simply because they could not be spared. The Government of Bengal has corresponded for some time with the Government of India on the subject of increasing the cadre,

and the Government of India has in principle admitted the justice of our demands for a larger service. But fuller information has been called for as to the actual details of the number required. This information we submitted in January, and I hope before many months we will have received the sanction of the Secretary of State to a very large increase to the numbers of the Provincial Service.

"As regards the Subordinate Executive Service, I am glad to say that the proposals of the Government of Bengal have been accepted by the Secretary of State in full except as regards a few settlement appointments in connection with which further information is required. I hope that early next month the full number of extra men now sanctioned will have been appointed. The increase is very considerable. Including Deputy Superintendents of Excise, who are to be graded separately in future, the number has been raised from 105 to 225 men.

"As regards the complaint that competitive examinations have been abolished, I would refer to the Government Resolution which shows how limited competition was before, and that all that has been done is to substitute for the appointment of a small number by competitive examinations nomination by the Syndicate of the Calcutta University.

"One very important and most desirable result of the increase in the cadre will be that, when full effect is given to the proposals of the Bengal Government, it will be unnecessary to employ any outsiders or kanungoes as Assistant Settlement Officers.

"In this connection I cannot accept the views of two Hon'ble Members, Babu Bhupendra Nath Basu and Babu Saligram Singh, that the initial pay is insufficient. The number and quality of the candidates who now come forward show that the appointment of Sub-Deputy Collector is one much coveted by many well-educated and respectably-connected young men. A great boon has been granted by the creation of a grade on Rs. 250 for officers who have worked fairly well but who are not fitted for promotion to the Provincial Service.

"I now turn to the Registration Department. As regards this Department, final orders are awaited, but proposals have been submitted and generally accepted by the Government of India to place it on an entirely different footing and to pay Sub-Registrars by salaries instead of by commissions. It is also proposed to give a considerable increase of pay to the Sub-Registrars' clerks. Service in the Department will, if the proposals are accepted, be pensionable. The Registration Department, when once the scheme has been introduced and is in full working order, will no longer be the refuge of odd worn-out pensioners, and I have no doubt it will be found possible to utilise the rural Sub-Registrars in many ways, as registration work does not in most cases take up a Sub-Registrar's full time.

"Under the head of 'Land-Revenue expenditure,' I note the following items:—

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"The Government of India propose to distribute a large grant for Agricultural Experiments. The details are not yet settled, and I can only give a general idea of what is proposed. A few properly-equipped experimental farms, two to commence with, are to be started. Attached to these there will be a number of demonstration farms, each of which will as a rule only deal with one experiment which has been tried and found successful at the experimental farm. The object of these demonstration farms is to show the cultivators the effect of thoroughly-tested improvements.

"Rupees 50,000 has been allotted for experiments with a view to effecting improvements in the growth and manufacture of Indigo. It is to be hoped that the result of these experiments will be to prevent the extinction of a very important industry.

"Rupees 5,000 has been provided for the distribution of selected cotton seed. It will recognise the importance of doing what is possible to improve the quality of the cotton grown.

"Rupees 25,000 has been allotted for work connected with Co-operative Credit Societies. So far only a very small beginning has been made, but in Eastern Bengal at all events it seems probable that things are ripe for a early development of such societies on sound principles. Mr. Gourlay, the Registrar, reports that in the districts he visited he found the prospects very encouraging.

"Rupees 67,000 has been provided for a new Hostel at Belgatchia and various improvements.

"Rupees 17,000 additional expenditure is to be incurred in increasing and improving the Veterinary Establishment. This is only part of a large scheme which is still under consideration."

The Hon'ble MR. K. G. GUPTA said:—"Sir, I wish to say a few words with reference to the remarks made by Hon'ble Members regarding one or two Departments with which I am connected. First, with reference to Income-tax, the Hon'ble Babu Ambika Charan Mazumdar has drawn attention to the very large increase in the number of assessees in the present lowest class. The figure of increase standing by itself seems apparently very unsatisfactory and somewhat damaging to the assessing agency, but when it is closely analysed it will not look so bad as it appears. The assessees of every class are divided into several heads according to the sources of income, *viz.*, Government servants, servants of local bodies and private employés either belonging to individual employers or to companies and other bodies and traders and others. As far as the assessing agents are concerned, their chief work lies in assessing traders and other people who do not come under the various heads of servants. In their case also there has been an increase, but that increase is a very small one compared with that which has taken place in the case of servants of different sorts, regarding whom there can be no suspicion of over-assessment. For instance, comparing the figures of 1902-1903 with those of 1903-1904 and confining our attention to the new last class of assessees, we find that in the case of Government servants there is an increase of 50 *per cent.* and in the case of servants of local bodies an increase of 216 *per cent.* In the case of servants of private employers and of public bodies and companies it is 115 and 195 *per cent.* respectively, whereas in the case of traders and other people with whom alone the assessors are concerned the increase is only 36 *per cent.* An obvious explanation is that in the previous year there was a still lower class which had to pay Rs. 15 income-tax and that has been abolished; the difference of tax was only Rs. 5. The classification is now done with more care because the fact of one's falling within one class or another is a question of total exemption or paying Rs. 20; and this apart from the normal growth of wealth. However, further enquiry has been ordered by the Board, and no doubt when the reports are received the matter will be made clear, but in the meantime I wish to draw the attention of Honble Members of the Council to these figures so that they may not summarily condemn the assessing agency of having shown excessive zeal or of having attempted to undo the benevolent intentions of Government.

"Coming now to 'Excise.' That is a department with which in some shape or other I have been connected for a long time, and that is also a department which is more subject to misrepresentation and misunderstanding than perhaps any other Revenue Department under Government. Some people seem to think that a mere increase in the Excise receipts is in itself something atrocious, something to be deprecated and absolutely wrong, but I do not think that is a

[*Mr. K. G. Gupta.*]

reasonable way of looking at the question. Short of total prohibition, which I fancy is not within the range of practical politics, all that the Excise Department may be expected to do is to see that undue facilities are not offered for obtaining intoxicants and that the prices of stimulants are kept reasonably high. With regard to these two points I wish to draw the attention of the Council to some facts and figures which will speak for themselves. I wish to compare the year 1874-75 with the year 1903-1904. For the year 1904-1905 we have not yet got complete statistics. I have chosen the year 1874-75 because that was the first year after the separation of Assam from Bengal. In 1874-75 the number of country-spirit licenses in Bengal was 5,165, against a previous quinquennial average of 6,312. In the last year, that is, 1903-1904, the number of such licenses was only 3,382. Similarly, *ganja* in 1874-75 was 4,394 and last year it was only 2,793 and opium 3,836 in the former year and 1,716 in the last year—and all this in spite of a very great increase in population. Coming to the rate of taxation, we have as regards *ganja* during the period a rise from Rs. 3·4 to Rs. 15·1 per seer and opium from Rs. 17 to Rs. 28·6 per seer. These are the facts for the whole of Bengal; and with regard to Calcutta specially, which generally excites a larger amount of attention than any other part of the country, I may say that the population of Calcutta during this period has increased by 69 *per cent.*, and yet the number of spirit licenses has increased only from 136 to 137, that is, by one. It has been further reduced in the current year; *ganja* remains the same—at 63. Opium is reduced from 65 to 60, but the incidence of revenue has in every case been largely raised. With these facts before us I do not think it would be reasonable for any one to charge the Excise Department with trying to raise revenue at the sacrifice of temperance. The subject of country liquor has been fully discussed by the Hon'ble Mr. Baker in the Supreme Council and it is not necessary for me here to dilate further on the subject.

"There is another matter to which I have to refer because I have been made the subject of an attack not merely outside this Council, but even here with reference to the part I took in connection with the Committee which was appointed for devising a scheme for improving Rural Education. The object of the Committee was simple and harmless enough, and I might also claim for it that it was an object laudable in itself and which I find every one almost has in view. It has been the experience in Bengal for many years that Primary Education has not permeated the lowest classes of the people, and that the masses and the great body of cultivators are still unaffected by it, and therefore Government very naturally considered it necessary to find out the causes of this failure of Primary Education to reach the very lowest classes and to see what could be done to remove the defect.

"A Committee was appointed of which I happened to have the honour to be a member. After a prolonged discussion and considerable deliberation the Committee drew up a scheme which met with the provisional approval of Government, but it was not finally passed pending an expression of opinion by the public and other persons interested in Primary Education. That scheme as a whole I do not find is condemned by anybody: on the contrary, the main outlines of it have received general approval. There is, however, one point of detail, which has elicited much adverse criticism. In this respect what we wanted to do was to find out a medium which would be easily understood by the people for whom the text-books were to be prepared. The Committee have been commended for lightening the burdens of the primary scholars by simplifying the course and reducing its scope, but they have been found fault with because they went further and wanted to make the medium also as simple and as plain as possible. The Committee may have been mistaken, and I as one of the members of that Committee may have been mistaken, but it is quite open to the public to give full expression of their views and not only to criticise what we have said or done but also to show the best way of achieving the object, which we have all in view. If we have not done the right thing, or if we have erred, I do not see why it should stir up so much warmth or passion.

[*Mr. K. G. Gupta; the President.*]

"All of us have the same object in view. We want to make Primary Education available to the very lowest classes who cannot now acquire it because of the complexity of the course, the difficulty of the text-books and other causes. We tried to simplify matters. We tried our best to find out a way by which such education could be made available to the classes for which it was intended. As I have said, we may not have done the right thing, but surely the subject is still open to discussion. There is no sinister motive anywhere. Government fully realised the necessity of the subject and has submitted the proposed scheme to the deliberations of those who are interested in education. With that object it has published the whole scheme and invited full discussion. Then why all this vituperation and invective? What I have to urge is this: the Committee have drawn up a scheme; if there are any defects in it, by all means point them out; and the Judicial Secretary has already given us the assurance that the objections will be duly and fully considered before final orders are passed."

The Hon'ble the PRESIDENT said:—"Gentlemen—I congratulate my hon'ble friend Mr. Shirres on the generally favourable opinions which have been expressed regarding his financial statement. Matters connected with the budget have, as a rule, been already dealt with by the Hon'ble Members representing the various departments concerned, and I shall not therefore trouble the Council by entering into details. I am half tempted to speak of the importance of our proposals for re-organising the staff of Deputy Collectors and Sub-Deputy Collectors and improving the position of Ministerial Officers. But these have been sufficiently dealt with. We have carried through one of the measures; and the other two will, we hope, not be long delayed. The criticism of the Hon'ble Babu Bhupendra Nath Basu regarding the character of the Settlement effected with the Government of India last year has been, it seems to me, fully answered by the Hon'ble Mr. Shirres and also by two of the non-official Members of this Council; on that also I consider it unnecessary to say anything now. I shall confine myself to a few remarks regarding general questions which have been raised in the course of this discussion.

"I would first of all refer to the complaint of the Hon'ble Babu Ambika Charan Mazumdar and others that too short a time has been given for the consideration of the budget after it was laid on the table and before its discussion in the Council. On this point I will only say that if any blame attaches to any one it is to myself. The ordinary practice has been to allow one week from the date of the presentation of the budget to the date of its discussion. In this the practice of this Council conforms to the practice of the Government of India; and it can hardly be urged that more time is required to master the details of the Provincial Budget than is required for those of the Imperial. I accordingly fixed to-morrow as the day for the discussion of the budget this year. I have, however, an important and most pleasant duty to perform to-morrow in being present when His Excellency the Viceroy lays the foundation stone of the Pusa Agricultural Research Institute; and I was compelled therefore to alter the date which I had fixed. I then fixed on to-day, simply because I thought that Hon'ble Members would probably like to take up the discussion of the budget as soon as possible, and because I had no idea that it would take them long to master its details. I would remind the Hon'ble Member that, at the close of our meeting last week, he came into my room to make a representation in regard to a matter in which he is interested. Had he said anything to me then about the difficulty of being ready for the discussion to-day, it would have been far more convenient to me, and would have given me great pleasure, to have postponed the discussion for, say, ten days instead of six; but he gave me no hint of anything of the kind. I mention this merely as an illustration of what I think a better method of making representations. It is better to prevent anything that may be deemed a hardship than to complain of it after it has been permitted to occur. I am sure that Hon'ble Members will admit that they are usually treated with courtesy and consideration; and this I think should encourage them to

make a representation regarding any inconvenience to which they feel that they are being put rather beforehand with the view of prevention than later in the way of complaint. I shall be very glad to give a longer period next year. In this connection I may be permitted to refer to a remark made by the Hon'ble Babu Bhupendra Nath Basu that 'questions receive little encouragement in this Council.' I am bound to say that I heard this with surprise. The Hon'ble Members who have to answer interpellations made in this Council consistently aim at giving clear and full information, and never return evasive answers. Of course, there must occasionally be questions put which cannot be answered satisfactorily. But the treatment of interpellations in this Council is habitually courteous and considerate.

"The next subject to which I should refer briefly is the subject of Education. First of all, I join with Hon'ble Members in an expression of our thanks to the Government of India for the recurring grant of Rs. 10 lakhs *per annum* to the Provincial revenues of Bengal to meet increased expenditure on Primary Education. The Governor General in Council has expressed his desire that this grant shall be fully utilised in increasing the normal allotment for Primary Education; and measures have been taken to ensure that expenditure hitherto incurred will not be discontinued on account of this grant, but that there will be, to the extent at least of this grant, an increase of expenditure on Primary Education. It has been found by experience that it is not easy for a Local Government to resist the strong claims which are made upon its resources by those who are interested in desirable improvements and who can make themselves heard. Primary Education in Bengal is in a very unsatisfactory state—more so, in some respects at least, than in other parts of India—and yet the demand for reform is less clamorous than with regard to matters of less importance. The subject has been attracting our attention for some time, and schemes have been formed for the development of Primary Education, in respect of which we had a strong hope that the Government of India would give us some assistance, and which we could not have carried out without the substantial contribution which has now been made to our finances. It has been pointed out already that the money will be mainly spent on buildings for primary schools, which are worse in Bengal than any I have seen in almost any other part of India; in helping primary education among Muhammadans; in carrying out the effective scheme for rural primary schools; in providing training schools for primary teachers; and in a substantial increase of the subordinate inspecting agency. Our hopes as to receiving substantial assistance have been more than realised; and we trust that there is now before us an era of progress and development in Primary Education.

"It has been pointed out by the Hon'ble Mr. Shirres that the provincial grants for Education in this Province have very materially increased of late years. While we are pushing on primary education, we do not intend to neglect our duty in regard to the higher stages of education. I do not, however, intend to detain the Council by remarks on this subject. All that I need say is this, that I am greatly encouraged by seeing the attention which is being paid throughout the province generally to Secondary Education on approved lines, and also by the interest which is being taken in the development of University Education. I think it is a cause for great satisfaction that there is so much of a spirit of co-operation among official and non-official teachers and others interested in University Education in regard to the drawing up of the regulations for the new University. I am glad also to find the Hon'ble Babu Bhupendra Nath Basu taking this opportunity of giving his support to the Ranchi College scheme, and of suggesting improvements in the Presidency College on lines which commend themselves thoroughly to me. I congratulate the Ranchi College Committee on the subscriptions which have been made practically unsolicited towards the scheme. No great effort has yet been made to raise subscriptions, and yet they have nearly reached rupees two lakhs. I am sure that the scheme appeals to the feeling of many throughout the Province, who desire a sound University education for their sons. As to the suggestions made regarding the Presidency College, I shall

see that they receive early and careful consideration from the educational authorities. That very considerable improvement is required in regard to the important matters of accommodation for the students and bringing them more into contact with their Professors I have no doubt whatever; and I shall be very glad to consider, in consultation with my official advisers and with others interested in higher education, the steps which should be taken to secure such improvement.

"I should like to say that I sympathise very much with what has fallen from my hon'ble friend Mr. Larmour regarding technical and industrial education. It has been pointed out to him by the Hon'ble Mr. Carnduff that the matter has certainly not been entirely neglected, and that interest in it and attention to it are increasing. It is a matter which receives anxious consideration at the hands of this Government. I have been interested by the remarks which have been made by the Hon'ble Babu Saligram Singh regarding the Temple Medical School at Patna. He is anxious to have it raised to the status of a College, so that Biharis may be induced to avail themselves of a higher medical education and prepare themselves for the higher grades of the medical service or profession. I need hardly say how deeply I sympathise with him in this desire of his. But he will understand quite easily that it is impossible to give him any definite promise at the present time. It is necessary that such a question as this should be very carefully considered. It is by no means without difficulty. Three important points have to be considered. The first is the effect which would be produced on the attendance at the school or college by raising the educational standard of admission. It would, I fear, be impossible to lower the standard of admission to Medical Colleges generally, so as to meet the case of this Bihari College; and I am afraid that there might be some difficulty in getting a sufficient number of students for a Medical College at Patna possessing the prescribed educational qualifications. This is a matter to be enquired into before any decision on the question can be arrived at. Another point is whether the expenditure which will be required for securing the Professors necessary to teach medicine and surgery in the College would be justified by the probabilites in respect of the outturn of men qualified to be graduates in medicine. This also requires enquiry and consideration. Thirdly, there is the fear that the opportunities for clinical instruction in the hospitals of Patna are not adequate for the training of graduates in medicine. As the Hon'ble Member is well aware, I have recently taken steps greatly to improve the hospital which is connected with the Temple Medical School at Patna; but I am not certain that it is even now adequate for the purposes of a college. There are great advantages in having medical education imparted in a great city where there are first rate hospitals. At the same time as I have said I sympathise with the object that the Hon'ble Member has before him; and the suggestions which he has made will receive the fullest consideration.

"Before leaving the subject of Education I should like to say one word about the Resolution regarding Primary Education published last month, which has been referred to by more than one Hon'ble Member. I have received already many criticisms of that Resolution. On the scheme as a whole criticisms are generally favourable. There is, however, one point to which special exception is taken, namely, the proposal to prescribe text-books not only in the different languages of the province, but also in the different dialects prevailing in different districts. The object which the Committee, which was appointed to report on this subject, had before them, was to simplify Primary Education for the rural population, to render the text-books and means of instruction more intelligible to country people. I need not refer to the altogether baseless insinuation that there was any intention of breaking up the languages of Bengal, and of establishing what has been figuratively called an educational tower of Babel. The object of the Committee was entirely sound. Whether their proposal was sound or not, is another question. Their judgment may have been at fault. In regard to that point, as well as in regard to other features of the scheme, the frankest criticism was invited by the Government. The remarks which

[*The President.*]

have been made by Hon'ble Members to-day will be carefully considered, in connection with the many other temperate representations which have been received in regard to this matter; and I earnestly trust that we shall be led to a decision which will be to the advantage of the people and commend itself to the intelligent sentiment of those who are interested in Education.

"I should like to turn for a moment to the remarks which have been made by the Hon'ble Mr. Larmour regarding the 'paying ward' in the Presidency General Hospital. This was a matter in which my predecessor, the late Sir John Woodburn, was very deeply interested. It was brought to my notice very soon after I assumed charge of my present office by my friend Sir Montague Turner. I have received very substantial financial assistance from the European community; and I am now able to carry out the project. It is a pleasure to me to think that it has commended itself to the Council. The suggestion which has been made by the Hon'ble Raja Ban Behari Kapur that a similar 'paying ward' should be attached (say) to the Medical College Hospital for the reception of Indian patients, is one which commends itself to my sympathetic consideration. I know, from enquiries which I have already made, that many patients coming in from the country for treatment in Calcutta are not only compelled to incur great expenditure for house accommodation as well as for professional fees, but are also exposed to very undesirable conditions in respect of their surroundings while under treatment. I should like very much therefore to do something in the way of providing either a paying ward attached to one of our best hospitals, or a nursing home, where such patients from the interior or even perhaps from the city itself might be accommodated. If a reasonable scheme can be devised, I shall be very glad to assist in respect of the initial cost, the charges of maintenance of the institution being of course met by payments made by the patients. I shall immediately appoint a Committee of European Doctors and of representative Indian gentlemen to consider the matter and see whether they can propose a reasonable scheme.

"I should like also to say one word in regard to what Mr. Apcar has said about the Calcutta Nurses' Institution. I am quite ready to agree to an increase in the maximum contribution from Government towards this most valuable institution from 37½ thousand rupees to fifty thousand rupees, on the same condition as exists at present, namely, that the Government pays Rs. 3 for every rupee subscribed. As to the proposal that a contribution should be made from the Hospital Port Dues Fund, I do not, as at present advised, see any objection. Section 50 of the Indian Port Act, 1889, seems to me to authorise such contribution. The matter however requires further consideration. I should be glad if the Hon'ble Member, as President of the Institution, will formally apply for a contribution.

"Before leaving the discussion of medical subjects I should like to say that the remarks which have been made about the mortality from malaria have not fallen on unsympathetic ears. The matter already engages our attention. I shall not discuss it now; but I promise that we shall not fail to do what seems to us possible to wrestle with this powerful enemy.

"Another subject to which I should like to refer is the grant which has been made to District and Local Boards by the Government of India. The grant is approximately equal to one quarter of the amount which these Boards derive from local cesses on land. The allotment to this Province is 12½ lakhs. The assignment from Imperial to Provincial revenues will be a fixed one, whereas the future assignments to the Boards, being calculated at one quarter of their receipts from cesses on land, will necessarily undergo a gradual increase. I have no doubt that the Local Government will be able to meet from its growing revenues the small additional expenditure involved. At the outset the distribution of the grants will be at the discretion of the Local Government; since some Boards may at present be found to be in a financial position which would render it unnecessary to give them the full additional 25 *per cent.* on their land cess receipts, while others again may be able to spend with advantage

more than the amount which would fall to them under a system of proportionate distribution. Later on, however, it is intended to make the distribution rateably to all Boards. The financial history of the Boards in Bengal illustrates the danger of assigning stationary or inelastic revenues to meet expanding charges. The result has been that the financial position of the Boards has been exceedingly unsatisfactory. There has been a tendency on the part of some of the Boards, which it has been very difficult for Government to resist, to divert the Road Cess to purposes for which it was not intended. Instructions have frequently been issued to prevent this; and grants have been given to the Boards during recent years which have in the aggregate amounted to more than the sums thus diverted. But these grants have not been systematically made; nor has it been possible to resist the diversion of funds by some of the Boards. This matter will now be effectively dealt with and disposed of on right and equitable lines with something like finality. The Boards will now be able to make more adequate provision for communications, medical relief, schools, water-supply and sanitation, and veterinary aid to cattle. More interest will be attached to the administration of local affairs; and no doubt more effective work will be done. I earnestly trust that this measure will give a very marked impulse to Local Self-Government. Perhaps I may be permitted here again to say that one of the objects of the Local Self-Government is policy, to secure the co-operation of Government officers, local bodies and the public-spirited among the people. I well remember the discussions when the great development in Local Self-Government took place some years ago. I was deeply interested in the matter; and I happened to occupy a Secretariat position in my old Province which gave me a great deal of work to do in connection with it. The co-operation of the Government, the local leaders of the people, and the beneficent among the people themselves, was one of the principal objects which promoters of the scheme had before them. There are matters which must be dealt with by the Government alone; there are other matters which must now be dealt with by the Local Boards; and there are private charities with which neither can interfere. But there are many matters in which two or more of the three agencies for good in the country, to which I have referred, may well co-operate together.

"I should like to say one word about Municipal matters in Calcutta. I do not think it necessary to refer to the remarks that have been made about the views of the Local Government in regard to the work of the Corporation during the last year. What it has been necessary for me to say has been fully enough said. Neither do I consider it necessary to add anything to what has been said by the Hon'ble Mr. Shirres about the possibility of giving a provincial grant for the improvement of Calcutta. I shall only say one word about the remarks made by the Hon'ble Babu Bhupendra Nath Basu and the Hon'ble Mr. Greer about decentralisation of Municipal work in Calcutta. I cannot at present stand committed to any view in regard to this most important subject. *Primâ facie*, it is undoubtedly desirable to decentralise. The work is enormous; and we lose a great deal of local agency by endeavouring to do the work by the central authority only. Clearly, however, the question is not a simple one, and requires very serious consideration. I have already therefore taken steps to appoint a representative Committee of experienced officers and non-officials to advise me on this matter. I have also asked one of its members to study the question in London, Berlin and Paris, and see what has been done in these great cities in the way of decentralisation of Municipal work. When the report of the Committee has been received, I shall proceed to deal with the matter as promptly as possible.

"I come now to the important subject of the improvement of Police. It is a matter of great satisfaction to me that all the most important proposals of the Police Commission have been practically accepted by the Government of India and the Secretary of State. They involve very great expenditure. Necessary reform would have been impossible to Local Governments without assistance from Imperial finances; and I am glad that the same spirit which led the Government of Lord Curzon to appoint the Police Commission to make a

[*The President.*]

thorough and comprehensive enquiry into the condition of the Police. has also led to their rendering substantial assistance to Local Governments in carrying out the reforms which had been found to be necessary. The Government of Bengal has received a recurring grant of Rs. 12 lakhs *per annum* to enable it to meet the additional expenditure on Police arising out of the recommendations of the Commission. The Hon'ble Mr. Carlyle has explained to you how this money is to be utilised; and I shall not trouble you with further details in this matter. Our proposals have so far been already worked out; and we shall begin to carry them into effect as soon as possible.

"Passing from these details, however, I desire very briefly to refer to certain criticisms which have been made about the proposals of the Commission in respect of European officers and the formation of a Provincial Service. I heard on Wednesday my hon'ble friend the Maharaja of Darbhanga express his regret 'that it has been found necessary to close the doors of the new Imperial Police Service to Indians and to relegate them to a Provincial Service with the designation of Deputy Superintendent of Police.' What one would gather from such a statement as this is, that the Police Commission had recommended a retrograde measure, that they have proposed to exclude Indians from positions which they now occupy and to employ them less freely in the superior grades of the police. The Maharaja knew better; and he had doubtless no intention of saying anything of the kind. It is not to be wondered at, however, that such an impression should be created; and it has found utterance in the remarks of some of the Hon'ble Members of this Council. I think, however, that a perusal of the report of the Police Commission will show that this is entirely a misconception. I should like first of all to state the case as it at present stands. We have a few Inspectors of Police promoted to the charge of districts: one or two in some of the provinces. But these gentlemen are promoted from the lower grades of the service generally at a time of life when the energy that is required for police work in a district can hardly be expected of them. At the very end of their service, when they might reasonably hope to be allowed lighter work which would tax less their physical frame, they are promoted to work of a most exacting kind. This plan has not worked either to the satisfaction or to the credit of the force. Men have been promoted to be Superintendents too late to rise to any but the lowest grades, and too late to discharge satisfactorily the duties of the office. What the Commission proposed was that a Provincial Service should be created similar to the Provincial Service which has answered so admirably in the executive work of districts; that Indian gentlemen of education and position, or of approved service, should be appointed Deputy Superintendents of Police on pay ranging from Rs. 250 to Rs. 500; and that officers should be selected from amongst these for promotion to the charge of districts on pay running from Rs. 600 to 900. This is a new departure altogether. It is the creation of such a service as ought to secure some of our best Indian gentlemen for police work, just as the Provincial Service has secured a class of men for district work, generally so admirable. The Government of India have fully accepted these proposals of the Police Commission, with this exception that they have decided that promotion to district charges cannot be allowed until fitness is fully established. I have no objection to raise against this proviso. I believe that many a good scheme is wrecked from being carried out too hastily. I am quite confident that men will be found fit for the charge of districts among Deputy Superintendents; and I am, by no means, unwilling to postpone pressing for their appointment until their fitness is fully established. On the other hand I am clearly of opinion that for the present at least the great majority of our Superintendents must be Europeans. As the country moves forward and caste, religious, and race prejudices and antipathies become less accentuated, it will no doubt be possible to increase the number of Indian Superintendents. But surely the best plan for securing all this, is to say that so long as we require Europeans we shall recruit them on a method which will secure the best Europeans we can get; and we shall pay

them salaries which would induce good men to leave their own country and incur the disadvantages and increased expenditure of service abroad. At the same time, while we shall hold out inducements to Indians that will be fully adequate to secure good men of that class, it is unnecessary to pay them as much as we must pay Europeans; and the mere fact that they will draw less pay will be a permanent inducement to Government to increase the number of Indian Superintendents as soon as men of established fitness are found available. I confess I find myself unable to accept as deserved the adverse criticisms which these proposals have received from those who profess to be animated by a desire to advance the interests of the Indian people and of efficient police administration.

"In conclusion I should like to say one word in regard to the abolition of competition for the Provincial Service. There is no doubt that the progress of education has rendered it possible to demand high educational qualifications from candidates for the Provincial Service. The state of things which existed before the Bengal Government dealt with the question of recruitment for this service in its last Resolution was this. There was a competitive examination. Only three candidates were selected purely by competition after necessary enquiries had been made in regard to their physical fitness and their moral character. Other candidates were appointed not by competition but merely by selection from amongst candidates who had qualified at this examination. It seemed to me and to a very large body of officials and non-official gentlemen (the majorty of whom were Indians) whom I consulted, that it was quite unnecessary to have a special competitive examination in a province where we had only one University, and that the better plan would be to appoint candidates not because they have qualified in the special test but because they have qualified in the University. It is far better evidence of educational fitness and of strength of character to hold a degree in a University than to qualify in a single competitive examination. So that men might feel that it was possible to fight their own way into the service, we agreed to request the Syndicate of the University to assist us in the selection of three candidates who should be the best candidates of their year in the University. For the rest, instead of leaving the selection to the Lieutenant-Governor and his staff at head-quarters, we called upon the Commissioners to nominate candidates who had obtained University degrees, so that men might be appointed who had not only shown what we regard to be a better educational qualification than the mere passing of a competitive examination, but who should also be known to responsible officers as men likely to make good public servants. That is the change which has been introduced in Bengal; and it has been introduced with the full approval of the Government of India. It seems to me that the result will necessarily be to encourage education, and in all human probability to secure a better class of Government servants. The picture drawn by the Hon'ble Babu Bhupendra Nath Basu of the development of sycophancy under this scheme does not alarm me much. It proceeds from failure to appreciate how good students are watched in the neighbourhood of their homes; and it implies a lower estimate of the character of Indian gentlemen in the mufassal and of their relations with local officers than I am prepared to accept.

"The Council will now be adjourned to a date to be notified hereafter."

CALCUTTA;
The 4th April, 1905.

F. G. WIGLEY,
Secretary to the Bengal Council.

B. S. Press—1018--300—24-4-1906—I

Abstract of the Proceedings of the Council of the Lieutenant-Governor of Bengal assembled under the provisions of the Indian Councils Acts, 1861 and 1892.

The Council met in the Council Chamber on Saturday, the 8th July, 1905, at 11 A.M.

Present:

The Hon'ble SIR ANDREW FRASER, K.C.S.I., Lieutenant-Governor of Bengal, *presiding*.

The Hon'ble MR. L. HARE, C.I.E.

The Hon'ble Mr. K. G. GUPTA.

The Hon'ble MR. B. L. GUPTA.

The Hon'ble MR. P. O'KINEALY, Advocate-General of Bengal.

The Hon'ble MR. F. W. DUKE.

The Hon'ble MR. R. W. CARLYLE, C.I.E.

The Hon'ble MR. H. W. C. CARNDUFF, C.I.E.

The Hon'ble MR. E. A. GAIT.

The Hon'ble BABU BHUPENDRA NATH BASU, M.A., B.L.

The Hon'ble MR. A. A. APCAR.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

The Hon'ble BABU NALIN BEHARI SIRCAR, C.I.E.

The Hon'ble MR. J. CHAUDHURI, M.A.

The Hon'ble ASIF KADR SAIYID WASIF ALI MIRZA, of Murshidabad.

The Hon'ble RAJA BAN BEHARI KAPUR, C.S.I.

NEW MEMBERS.

The Hon'ble MESSRS. DUKE and GAIT took their seats in Council.

[*The President; Babu Bhupendra Nath Basu; Mr. Gait.*]

THE LATE HON'BLE BABU SALIGRAM SINGH.

The Hon'ble the PRESIDENT said:—"Gentlemen,—It was with very great regret that I received the other day the news of the sudden death of our hon'ble colleague, Babu Saligram Singh. In the kindly references which were made to the deceased gentleman in the High Court a week ago, testimony was borne by Bench and Bar alike to the high respect in which he was held as a member of the legal profession; and I shall not repeat what was said then.

"Our late colleague served in this Council for two years (1897-1899) as the representative of Municipalities in the Patna Division; and he was again nominated a Member of the Council on the 15th December, 1903, as the representative of the Bihar Landholders' Association. He served on Select Committees in connection with some important measures, and took an honourable part in the work of the Council. He never spoke unnecessarily, or without having something to say that was worth hearing and likely to throw light on the subject under discussion. He was an able lawyer, helpful in Select Committee work, and invariably courteous, considerate and tactful in the Council. I may perhaps be permitted to add that his intimacy with me as a Member of the Council led me to appreciate very highly his broad views and wide sympathies and genial character. He was honest and upright and independent, and withal desirous to render assistance to the Government and to advance the interests of the people. I have frequently had to consult him in regard to important questions affecting this Province; and I have always felt that I received from him the best advice that he could give, in full view of all the interests (sometimes conflicting) which were involved in the matter under consideration at the time. I specially valued the advice and assistance which he rendered—or rather I perhaps ought to say was rendering—to me in regard to legislation affecting the relations between landlords and tenants. He knew the law well; and he understood well the interests of both parties. The advice which he was able to give me was therefore of great value, and I shall greatly miss his kindly and cheery fellowship in the discussions to which I am now looking forward in connection with this subject.

"I am sure that I shall meet the wishes of this Council when I communicate to his bereaved family an expression of our sympathy and of the deep regret with which we have heard of his untimely death."

QUESTIONS AND ANSWERS.

CALCUTTA IMPROVEMENT SCHEME.

The Hon'ble BABU BHUPENDRA NATH BASU asked:—

Will the Government be pleased to state what progress has been made with the scheme for the improvement of Calcutta, and, if any legislation is necessary in connection with such scheme, when is the same to be undertaken?

The Hon'ble MR. GAIT replied:—

"The proposals regarding the structural improvement of Calcutta are still before the Government of India, and the Lieutenant-Governor is not in a position to make any statement regarding them."

SEPTIC TANKS.

The Hon'ble BABU BHUPENDRA NATH BASU asked:—

(*1*) Will the Government be pleased to state what action it has taken on the report of the Septic Tanks Committee?

(*2*) Is it not the opinion of the experts consulted by the Committee that the effluents of these tanks, though clear to the eye, are full of dangerous microbes?

[*Babu Bhupendra Nath Basu; Mr. Gait; Mr. Carnduff.*]

(*3*) Has the Government taken any steps to stop the flow from the septic tanks into the river above Tolly's Nala, as recommended by the Committee?

(*4*) Has the Government considered that Tolly's Nala is only about two miles from the pumping station at Mullick Ghat for the supply of unfiltered water to the town, and is in close proximity to the Watgunge Pumping Station and that with the tides the contents of the septic tanks below Tolly's Nal, passing through the unfiltered water system would be dangerous to the town?

(*5*) Is the Government aware that there has been of late a marked increase in typhoid fever in the Northern Division of the town? Will the Government be pleased to inquire whether this has any connection with the contamination of the water-supply of Calcutta?

The Hon'ble MR. GAIT replied:—

"The Septic Tank Committee were unable to submit a final report. They found that although the effluents of these tanks are clear to the eye and chemically fairly pure, they still contain large numbers of bacteria at the points where they are discharged into the river. This contamination, however, rapidly disappears; and it was not noticeable in the immediate neighbourhood of the Pulta intake. The Committee were of opinion that the biological defects of the effluents might be got rid of if they were further purified by filtration through sand. Captain Megaw, I.M.S., was accordingly placed on special duty to conduct experiments with a sand filter. His report has just been received. The results obtained by him were not altogether satisfactory, but this was due largely to defects in the particular installation to which his sand filter was attached. The principal Medical Adviser of Government is of opinion that the experiment affords reasonable ground for anticipating that, by improving the installations, it will be possible to make the effluents harmless. The great importance of the matter is admitted, and Government is considering the further steps to be taken in order to arrive at a solution of the problem. Meanwhile permission will not be given to construct any new installations discharging into the Hooghly. It is not proposed at present to interfere with the existing installations. As remarked by the Committee, they are a marked improvement on the old insanitary latrines, and their abolition would probably increase rather than diminish the pollution of the river.

"During the first six months of the present calendar year 37 cases of typhoid fever have been reported from the two northern districts of the city against 19 cases in the corresponding part of last year. The figures in both cases are small, and the Health Officer does not connect this disease with the filtered water-supply."

THE MUHAMMADAN METHOD OF EDUCATION.

The Hon'ble BABU BHUPENDRA NATH BASU said:—

Considering the fact that no reference has been made to the Muhammadan Method of Education in the Senior Teachers' Manual under the new scheme, and the large number of Muhammadan students under vernacular instruction, will the Government be pleased to add a Chapter on the "Muhammadan Method" in Part I under the heading of "Introduction" in the said Manual?

The Hon'ble MR. CARNDUFF replied:—

"Hitherto 'Muhammadan Method' has not been dealt with separately, apparently on the principle that the methods of teaching most subjects in the ordinary school course are the same, whether the pupils to be taught are Muhammadans or Hindus. But, in view of the special scheme for establishing model *maktabs* and improving Muhammadan Education generally, which has recently been sanctioned, an additional chapter dealing with such points as may seem to require attention will probably be included in the next edition of the Senior Teachers' Manual."

[*Babu Bhupendra Nath Basu; Mr. Carlyle; Babu Ambika Charan Mazumdar.*]

ESTABLISHMENT OF A SUB-DIVISION AT GOPALGUNGE (IN FARIDPUR).

The Hon'ble BABU BHUPENDRA NATH BABU asked:—

(*a*) Will the Government be pleased to state the progress made in establishing a sub-division at Gopalgunge, in the district of Faridpur, as proposed and sanctioned by the late Sir John Woodburn?

(*b*) In view of the fact that most of the villages within the jurisdiction of Gopalgunge lie very far away from the district head-quarters, and also of the absence of any means of communication between this part of the district and the head-quarter station for the greater part of the year, either by land or by water, and of the consequent prevalence of crime and the hardships and inconveniences to litigants in the villages under that thana, will the Government be pleased to consider the expediency of transferring this tract of land from Faridpur to Khulna, the head-quarters of which district is within very easy reach from the area in question?

The Hon'ble MR. CARLYLE replied:—

"Reports from the Commissioners of the Dacca and Presidency Divisions have just been received and are under consideration."

SUBORDINATE APPOINTMENTS IN THE BOARD OF REVENUE.

The Hon'ble BABU BHUPENDRA NATH BASU asked:—

(*1*) Is it a fact that the Government has reserved 30 *per cent.* of the subordinate appointments in the Board of Revenue for Europeans and Eurasians?

(*2*) Will the Government be pleased to explain the reasons which have led to the special reservation of appointments for a particular class in the Board of Revenue apart from any question of merit or ability?

(*3*) Does the Government think such reservation consistent with the terms of the Proclamation of Her late Majesty?

The Hon'ble MR. CARLYLE replied:—

"(1) Yes.

"(2) That it has been held to be important to have a considerable proportion of Europeans or Eurasians in the Board's office in connection with the work of certain departments (*e.g.*, Opium and Salt).

"(3) There appears to be nothing inconsistent with the Proclamation of Her Majesty Queen Victoria in reserving a certain number of appointments for a particular class of the community."

APPOINTMENT OF POLICE INSPECTORS.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR asked:—

(*a*) Has the attention of Government been drawn to certain paragraphs which appeared in the *Bengalee* of the 8th June, 1905 (Dâk Edition), touching the appointment of Police Inspectors under the new scheme? Is it true, as stated in the said paragraphs, that out of twenty-four appointments made only four have been given to Indian candidates, whose number was no less than 293 and sixteen of whom had been selected and summoned by wire to attend the office of the Inspector-General of Police? If only four of the appointments have been given to Indians, who have received, or are intended to receive the remaining twenty? Is it true that they have all been given away to Europeans or Eurasians?

(*b*) Will the Government be pleased to lay on the table a list of all the twenty-four appointments made as noticed above, giving the names of the persons appointed, their race or nationality and their educational qualifications, together with any other recommendation that they may possess?

The Hon'ble MR. CARLYLE replied:—

"1. The Lieutenant-Governor has perused the paragraphs of the *Bengalee* referred to in the Hon'ble Member's question. They are misleading and inaccurate.

[*Mr. Carlyle; Babu Ambika Charan Mazumdar; Mr. Gait.*]

"It is not true that out of twenty-four new appointments of Inspectors of Police, four have been given to Natives of India and the rest are reserved for Europeans and Eurasians. Out of the increase in the cadre of Inspectors of Civil Police sanctioned on the recommendation of the Police Commission, twenty-nine appointments have been made. Five have been made direct and twenty-four by the promotion of deserving Sub-Inspectors. All twenty-nine appointments have been given to Natives of India. The newspaper extract, which forms the basis of the Hon'ble Member's question, omits to mention the twenty-four new appointments which have been conferred on Natives of India already in the Police.

"For service in the Armed Police, twenty-two European Inspectors have been appointed. It has been decided that for the Armed Police to perform the duties required of it in the event of a widespread disturbance, the force attached to each district must be officered by a European Inspector. Training the Armed Police in drill and discipline is the main duty of these Inspectors; and they are quite distinct from the Civil or Investigating staff. The men appointed are all Europeans, who have been trained in the Army; and they are the only persons who have the necessary qualifications for filling these appointments.

"2. The second question of the Hon'ble Member does not require a separate answer after the above explanation."

BIL-ROUTE CANAL IN THE DISTRICT OF FARIDPUR.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR asked:—

May I inquire if there is any agreement or understanding between Government and any Company with regard to the *Bil*-route Canal in the district of Faridpur? If so, will the Government be pleased to inform the Council what is the nature of this agreement and what are its terms? And will the Government be further pleased to furnish a statement showing year by year the outlay made, the traffic charged, and the profits received in connection with this canal?

The Hon'ble MR. GAIT replied:—

"No agreement or understanding exists between Government and any Company with respect to the *Bil*-route Channel.

"A statement is laid on the table which shows the state of the capital and revenue accounts of this project for each year."

Statement referred to in the above Answer.

YEAR.	Capital outlay of year.	Capital outlay to end of year.	Gross receipts from Tollage, etc.	Working expenses.	Net receipts of year.
	Rs.	Rs.	Rs.	Rs.	Rs.
1899-1900 ...	27,306	27,306	*Nil.*	*Nil.*	*Nil.*
1901 ...	1,87,895	2,15,201	9,093	7,868	1,225
1902 ...	1,05,646	3,20,847	19,635	10,688	8,947
1903 ...	2,63,000	5,83,847	32,548	17,501	15,047
1904 ...	5,26,191	11,10,038	45,397	12,712	32,685

MORTALITY IN THE DISTRICT OF FARIDPUR.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said:—

It appears that in 1897 the late Dr. P. M. Gupta, then Civil Surgeon of Faridpur, reported that the ever-increasing mortality in the district from malarial fever was referable, among other causes, to the objectionable practice of steeping jute in every available pool or stagnant water; and in paragraph 11 of the Government Resolution on the annual report of the Sanitary Commissioner for the same year it was directed that the attention of the Civil Surgeons should be drawn to the remarks made by the Civil Surgeon of Faridpur, and that they should be requested to consider what effect the said practice had on the health of their respective districts. Will the Government be pleased to state what action was taken upon this Resolution? And will the Government be further pleased to publish all the reports and opinions received in connection with this question?

[*Mr. Gait; Mr. Chaudhuri; Mr. Carnduff; Babu Bhupendra Nath Basu; Mr. Carlyle.*]

The Hon'ble MR. GAIT replied:—

"A summary of the opinions of the Medical Officers who were asked to inquire regarding the alleged injurious effects of jute-steeping on the public health will be found in paragraph 44 of the Sanitary Commissioner's Report for the year 1898. The Sanitary Commissioner and most of the Civil Surgeons consulted by him were of opinion that the practice, though disagreeable, is not proved to be specially favourable to the development of Malaria. The fever mortality is lowest during the season when jute-steeping is carried on. The operation is a necessary one and cannot be wholly prohibited, but District Boards and Municipalities have power to set apart public springs and reservoirs for drinking and culinary purposes and to prevent their pollution in this or in any other manner."

THE OFFICE OF DIRECTOR OF PUBLIC INSTRUCTION, BENGAL.

The Hon'ble MR. CHAUDHURI asked:—

(*a*) Will the Government be pleased to state why it was that no member of the Indian Educational Service was appointed to officiate as Director of Public Instruction in Bengal during the absence of Mr. Alexander Pedler on leave?

(*b*) Is there any precedent for putting the Assistant Director, who is a very junior member of the Service, in charge of the Director's office during the Director's absence from India?

(*c*) Is there any foundation for the report which has found currency in the local press that it is the intention of Government to appoint a member of the Indian Civil Service as Director of Public Instruction in Bengal on the retirement of Mr. Alexander Pedler?

(*d*) Was it not laid down by Lord Dufferin in his Minute on the appointment of Mr. White, I.C.S., as the Director of Public Instruction in the North-Western Provinces and Oudh, that, failing a competent member of the Educational Service qualified for the post of Director of Public Instruction in any Province, the Educational Departments of other provinces are to be indented upon before the appointment can be given to a member of the Indian Civil Service; and is the rule laid down in the Minute considered to be in force in Bengal, or has it been supplanted by any special or later instructions from the Government of India, and if so, when and to what effect?

The Hon'ble MR. CARNDUFF replied:—

"The appointment of an officer to officiate for Mr. Pedler during his recent leave was considered unnecessary. The leave was short; and the time was not the inspection season. The duties of his office were, therefore, entrusted to his assistant.

"As to Mr. Pedler's successor, the discretion of the Government is not limited in the choice of a Director in the manner indicated in the question. The choice depends on all the circumstances and requirements of the case. These have been submitted for the consideration of the Government of India."

RE-ORGANIZATION OF THE DISTRICT CIVIL SERVICE.

The Hon'ble BABU BHUPENDRA NATH BASU asked:—

Has the attention of the Government of Bengal been drawn to the scheme of re-organization of the District Civil Service in Bengal, put forward in the last number of the new Calcutta monthly, *The Indian World;* and will the Government be pleased to state if it considers the scheme to be feasible, and, if not, what stands in the way of its being put into operation?

The Hon'ble MR. CARLYLE replied:—

"The Government does not consider it expedient to enter in Council into the discussion of such Magazine articles."

THE BENGAL DISORDERLY HOUSES BILL, 1905.

The Hon'ble MR. CARNDUFF moved for leave to introduce a Bill to provide for the discontinuance of brothels and disorderly houses in certain localities in Bengal. He said:—

"Sir, I have to move for leave to introduce a Bill to provide for the discontinuance of brothels and disorderly houses in the vicinity of educational institutions, or in the immediate neighbourhood of cantonments, in Bengal.

"In March, 1903, the Government was asked in this Council whether it was aware of the existence in a number of stations in the mufassal of houses of ill-fame in close proximity to colleges, schools and hostels; and it was suggested that measures should be taken to enforce their removal from such localities. The reply then given was to the effect that the Government was aware of the evil referred to and the danger indicated; but that the question raised was one of great difficulty, as it appeared that the removal of houses of ill-fame, as such, could not be enforced. The matter was not, however, allowed to drop: on the contrary, careful inquiries were at once instituted, and the problem has since been examined from every point of view. It appears that a 'disorderly' house may be, and frequently is, kept in a perfectly quiet and orderly manner, and that, when this is so, although its presence is none the less a source of temptation to students attending colleges and schools in the neighbourhood, neither it nor its inmates can be interfered with under the law as it stands. Moreover, where interference is possible, it rests with private persons to take the initiative; and there is often a reluctance on the part of respectable men and women to come forward as complainants or witnesses in cases of the kind. The expediency of dealing with the evil can hardly be gainsaid, and the necessity for legislating afresh has, therefore, been faced. A Bill has been drafted on the lines of the provisions in force on the subject in the Punjab and the Central Provinces; the opportunity has been taken to include within its scope brothels in the immediate neighbourhood of military cantonments; and it is proposed that, while power should be taken in wide terms to direct the discontinuance of the use of a house as a brothel or by disorderly persons, that power should be conferred only upon Magistrates of the first class acting either with the sanction of the District Magistrate or on the complaint of three or more residents of the locality concerned. As to the operation of the measure, it is thought that it should extend in the first instance to mufassal municipalities only, but should be capable of extension to other than municipal areas, in which, indeed, the evil may, owing to the absence of any local authority and any public opinion, be even more pronounced than in the larger towns. Such, Sir, is the Bill which I seek leave to introduce to-day."

The Motion was put and agreed to.

The Hon'ble MR. CARNDUFF then introduced the Bill and moved that it be read in Council.

The Hon'ble BABU BHUPENDRA NATH BASU said:—"Sir,—With your permission I wish to make a few observations with regard to this Bill. I offer my congratulations to Your Honour's Government for the introduction of this measure into this Council, and I am glad that the Bill has come for discussion under Your Honour's *regime*. This is a piece of legislation for which the people have repeatedly prayed, resolutions requesting the Government to undertake legislation on these lines were passed in two Conferences which met in Bengal, and the Bill has come none too soon. There is one omission in the Bill, however, which I wish to bring to the notice of this Council. If any municipal area more than another requires protection from the evil sought to be checked by this measure, it is the town of Calcutta, and the Bill omits Calcutta altogether. I had the privilege of taking Your Honour down to visit an educational institution in Chitpur Road, which has been in existence for more than 75 years, and I called Your Honour's attention to the disgraceful and scandalous surroundings of the road through which Your Honour drove down. It is not only the proximity of educational institutions which

requires to be protected, but the great arterial roads through which flow the student population to our educational institutions should also be cleansed and purified. Thanks to the energy of Mr. Bignell, Cornwallis Street, about which are located our principal schools and colleges, have been cleared of its unwholesome surroundings, but after a great deal of expense and trouble, because section 43 of the Calcutta Police Act is rather difficult to put into operation: it lays down conditions which must exist before these houses can be dealt with—conditions which, as the hon'ble mover has pointed out, may not be found to exist simultaneously. I would, therefore, appeal to Your Honour's Government to extend the provisions of this Bill to Calcutta, and I am sure my appeal shall not be in vain.

"Sir, before I sit down I may be permitted to say that we have met to-day under very peculiar circumstances; and though I rejoice in the introduction of this measure into this Council, I find it difficult to express myself in the way I should like to. Our hearts are too full to-day with the recent intelligence of the calamity that has befallen us,—a calamity unparallelled in the days of the Moghul or the Pathan, a calamity before which the abrogation of the gracious Proclamation of Her late Majesty under the present *regime* sinks into utter insignifiance. Our hopes of a United Bengal, of a great Bengali-speaking nationality bound by common ties and prospering under a common Government, are gone. From henceforth the cup of bitterness will be our portion, and all our energies and efforts must be directed to counteract the disintegrating influences that threaten to overwhelm us. Sir, this is not the time to dwell on this question, but it is so near our hearts that I could not refrain from referring to it altogether.

"Though our hearts are heavy and our thoughts directed towards issues far more momentous than the Bill before Your Honour's Council, I venture to offer on behalf of the people our congratulations to Your Honour's Government on the introduction of this Bill into the Council and hope that its operation may be extended to Calcutta."

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said:—"Sir, I rise to offer a most cordial welcome to the Bill which has just been introduced. The credit of bestowing State attention to the segregation and control of public houses with a view to safeguard the moral interests of the people belongs entirely to Your Honour's Government. Much has been done of late to purge many important parts of this great city from these growing nuisances, and it is a matter for the sincerest congratulation that the Government now proposes to extend its powerful hand to the cleansing of the Augean stables in the mufassal. The indiscriminate location of public houses in the heart of respectable localities and the congregation of disorderly and disreputable people in such places have long been a standing disgrace to many a mufassal town. These dens are not only the fruitful sources of public disturbances and annoyances, but they are actually making havoc among the students in the mufassal schools and colleges. If I remember aright, an attempt was made to deal with these abuses in 1894, when the Bengal Municipal Act was taken up for amendment by the Government of Sir Charles Elliott; but an opposition came from an unexpected quarter, and the feeble attempt was given up. I rejoice, therefore, to find that Your Honour's Government intends seriously to grapple with the situation by means of an independent legislation. I may have to offer a few suggestions as regards the simple provisions of this Bill; but this is not the occasion to do so, and I reserve them for a later stage of this short but wholesome measure.

"Sir, before Your Honour adjourns the Council for your autumn tour I feel it my painful duty, as a humble representative of East Bengal, to draw attention to a telegram from Reuter, as published in the morning papers of Thursday last, which has fallen like a bombshell among the people. It is said that the Secretary of State has accepted the Government of India's scheme for the partition of Bengal! The people as yet know not what that scheme really is and what a grim mockery of fate that they should be told that it has already received the sanction of the highest authority in the administration. In December and January last, attempts were made

[*Babu Ambika Charan Mazumdar; Mr. Chaudhuri; the President.*]

both in this as well as in the Supreme Council to obtain information on the subject; but Your Honour's Government could not, while the Government of India would not, vouchsafe any replies. Judging however by the light of this telegram, it would now seem, that while in this state of doubt and uncertainty not a few of us were sleeping in a fool's paradise fondly indulging in the dream that it is impossible for the British Government to condemn a whole people without giving them at least an opportunity to be heard in their defence, everything was being arranged quietly between the Government of India and the India Office to decide the fate of the unfortunate people of this Province. Their repeated prayers for the publication of the new scheme have thus gone entirely unheeded, while even the telegram which they sent to the Secretary of State, upon the vague, unauthorized information of the *Standard* and the *Indian Daily News* for the simple postponement of the final decision pending the receipt of a memorial which they have hastily despatched over the signatures of nearly 70,000 people of East Bengal, has also been disregarded. Sir, even the worst criminal has a right to be furnished with a copy of his indictment before he is condemned, but here the Government have decided the fate of over 30 millions of His Majesty's innocent subjects even without a hearing!

"It is also a melancholy irony of fate that this violent *ukase*, so painfully reminding the people of the utter futility of their opposition, should be issued at a time when they were so jubilant over the coming advent of their Royal Highnesses the Prince and Princess of Wales. Sir, their Royal Highnesses will come and go; but the bleeding hearts of their future subjects that will undoubtedly bless them will also send forth the doleful strains of a mourning nation and mar the harmony of a great rejoicing. Sir, the struggle of a helpless people is probably over, and here drops the curtain over one of the saddest tragedies ever enacted on the political stage in this country. The map of Bengal may now be rolled up; for it will not be necessary to open it within another hundred years."

The Hon'ble MR. CHAUDHURI said:—"I must congratulate the Government on the introduction of the Disorderly Houses Bill in to-day's Council. In the interests of the educational institutions and respectable neighbourhoods the want of such a measure has long been keenly felt both in this city and in the many important mufassal towns in Bengal, such as Bhagalpur and Dacca. But it is a matter of profound regret to me that neither this measure nor any measure passed by this Legislature is to have any operation either in Eastern Bengal or in Northern Bengal, which latter I would perhaps be the last man to represent in this Council. As for my constituency in particular, I mean the whole of the Rajshahi Division, the action of the Government in severing it from this Legislature and the capital of India is even more arbitrary than is the case with Eastern Bengal. The Government proposals for its partition have never been communicated to a single soul in the whole of Northern Bengal and no opportunity given to the people of those parts to express their opinion about the change. I am acquainted with the opinions, ideas and sentiments of the men of light and leading in Northern Bengal, and I know that they will regard this sudden and violent change in its constitution and administration as the greatest calamity that has befallen them under British rule. I can assure you, Sir, that profound grief and dismay have overtaken the whole of our people at the news that the Secretary of State has sanctioned the breaking up of the province and people of Bengal in spite of the protests from the whole of Bengal. The unanimous protest of the entire Bengali-speaking people has been ignored in a manner more becoming the Ministers of the Tsar than of the representatives of the most constitutional Monarch on the face of this earth."

The Hon'ble the PRESIDENT said:—"I wish simply to say this: though I have not interrupted Hon'ble Members in talking about a subject which is absolutely irrelevant to the subject now under discussion because I have no desire whatsoever either to appear to fail in sympathy with Hon'ble Members who appeal as they do, but also because I think that under the peculiar circumstances of the case it is only natural that they should wish to say a few words, but I think I must ask that Hon'ble Members do not abuse the patience

of the Council, and that they do not use this privilege which is given to them to use language which cannot be approved from this Chair."

The Hon'ble MR. CHAUDHURI continued:—"As we consider you, Sir, as not only the representative of our Sovereign, but the representative of our people as well, my humble prayer to you to-day is that you would convey to the Sovereign our unanimous feeling and deliberate opinion that His Majesty's Ministers have been ill advised in adopting the scheme, and that His Majesty may yet be graciously pleased to stay the hands of his Ministers. With this prayer I resume my seat."

The Hon'ble MR. CARNDUFF said:—"In reply to the observations made by the Hon'ble Babu Bhupendra Nath Basu, I take the opportunity of explaining that the question of legislating to meet in Calcutta the evils with which the Bill deals for the mufassal has not been overlooked. It is under the consideration of the Government."

The Motion that the Bill be read in Council was then put and agreed to, and the Bill was read accordingly.

The Council was then adjourned to a day to be notified hereafter.

CALCUTTA;
The 21st July, 1905.

F. G. WIGLEY,
Secretary to the Bengal Council.

Abstract of the Proceedings of the Council of the Lieutenant-Governor of Bengal assembled under the provisions of the Indian Councils Acts, 1861 and 1892.

The Council met in the Council Chamber on Saturday, the 19th August, 1905, at 11 A.M.

Present:

The Hon'ble SIR ANDREW FRASER, K.C.S.I., Lieutenant-Governor of Bengal, *presiding*.

The Hon'ble MR. L. HARE, C.I.E.

The Hon'ble Mr. K. G. GUPTA.

The Hon'ble MR. B. L. GUPTA.

The Hon'ble MR. P. O'KINEALY, Advocate-General of Bengal.

The Hon'ble MR. F. W. DUKE.

The Hon'ble MR. R. W. CARLYLE, C.I.E.

The Hon'ble MR. W. A. INGLIS.

The Hon'ble MR. E. A. GAIT.

The Hon'ble MR. G. GORDON.

The Hon'ble MR. C. G. H. ALLEN.

The Hon'ble BABU BHUPENDRA NATH BASU, M.A., B.L.

The Hon'ble MR. C. F. LARMOUR.

The Hon'ble MR. A. A. APCAR.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

The Hon'ble BABU NALIN BEHARI SIRCAR, C.I.E.

The Hon'ble MR. J. CHAUDHURI, M.A.

The Hon'ble ASIF KADR SAIYID WASIF ALI MIRZA, of Murshidabad.

The Hon'ble RAJA BAN BEHARI KAPUR, C.S.I.

NEW MEMBERS.

The Hon'ble MESSRS. GORDON AND ALLEN took their seats in Council.

[*Babu Bhupendra Nath Basu; Mr. Inglis.*]

QUESTIONS AND ANSWERS.

ALTERATIONS IN DALHOUSIE SQUARE.

The Hon'ble BABU BHUPENDRA NATH BASU asked:—

Will the Government be pleased to lay on the table the scheme of the proposed alterations in the Dalhousie Square, and state within what time such alterations are likely to be completed?

The Hon'ble MR. INGLIS replied:—

"The plan is laid on the table. It is expected that the alterations will be completed before the end of November."

WATER-SUPPLY IN CALCUTTA.

The Hon'ble BABU BHUPENDRA NATH BASU asked:—

(*a*) Has the attention of the Government been called to the insufficient supply of filtered water in Calcutta?

(*b*) Is it a fact that, in the area under the so-called continuous system of water-supply in Calcutta, there is no water available during seven hours of the day, specially at midday? What was the pressure from 10 A.M. to 3 P.M. and from 5 P.M. to 7 P.M. for the last three months?

(*c*) Is it a fact that in the so-called continuous supply area the full statutory pressure of 40 feet is maintained at night, when water is not wanted and very little used? If not, what is the pressure at night?

(*d*) Will the Government be pleased to inquire from the Municipal authorities of Calcutta, and publish for general information, the cost in fuel and labour incurred for the supply of water at night, as compared with the cost during day-time, for the continuous supply area, for the year 1904-05?

(*e*) If the Corporation of Calcutta can fulfil its statutory obligation to maintain at a pressure of 40 feet a continuous supply of filtered water in Calcutta with the present pressures during the day, is it necessary to maintain the statutory pressure at night?

(*f*) Has the attention of the Government been called to the failure of the supply of unfiltered water in Calcutta?

(*g*) Will the Government be pleased to inquire and state the pressure maintained for the unfiltered water-supply during the last six months, month by month?

(*h*) Will the Government be pleased to ascertain and state the number of privies in Calcutta connected with the unfiltered water-supply for flushing purposes?

(*i*) Is the Government aware that, owing to the failure of unfiltered water, most of these privies, especially those in upper storey of houses, have remained unflushed, or practically so?

(*j*) Is the Government aware that, notwithstanding its inability to supply unfiltered water, the Corporation of Calcutta is vigorously enforcing on the people the conversion of service into connected privies? Will the Government be pleased to ascertain and state the number of notices which the Corporation has issued for this purpose? Does the Government think that, until a more adequate supply of water is secured for flushing purposes, it is either desirable or safe to insist on the people converting service into connected privies?

[*Babu Bhupendra Nath Basu ; Mr. Gait.*]

(*k*) Is the Government aware that the Corporation is issuing and realizing a very large number of bills for the use of filtered water by the people in excess of the quantity covered by their water-rate ?

(*l*) Will the Government be pleased to ascertain if complaints have not been made to the Corporation that the meters used by the Corporation are very unsatisfactory, and that, whenever they have been checked, they have given discrepant results ? Will the Government, for the protection of the people of Calcutta, be pleased to take the opinion of properly qualified men outside the Corporation as regards the reliability of these meters ?

(*m*) Having regard to the fact that, under section 248 of the Calcutta Municipal Act, the Corporation of Calcutta is bound to supply filtered water, together with a sufficient supply of unfiltered water, for washing and flushing drains and privies, and the failure of the Corporation to do the latter, and the consequent enforced use by the people of filtered water for washing and flushing purposes, does the Government think the Corporation is justified in issuing extra bills for the use of filtered water by owners and occupiers of houses, in excess of the quantity allowed by law ?

(*n*) Is the Government aware that the reported supply of filtered water in Calcutta is only 24·22 gallons per head of the population, not allowing for the enormous wastage which goes on in the mains and reservoirs, and which is admittedly not less than 30 *per cent.*, while London has a supply of 33¼ gallons per head, Glasgow, 40 gallons, New York, 79, Boston, 80, Chicago, 138, and Washington, 176 gallons per head ?

(*o*) Is the Government aware that, while outside Municipalities, who have contributed nothing towards the cost of the water-works in Calcutta, get their supply at 4,000 gallons for a rupee, the rate-payers of Calcutta are charged at 3,000 gallons for a rupee for the use of the excess water ?

The Hon'ble Mr. Gait replied :—

"(*a*) Government has noticed complaints in the Press about the filtered water-supply in Calcutta.

"(*b*) It is not a fact that in the area under the continuous system of water-supply there is no water available during 7 hours of the day. In the greater part of this area, the supply during the day is good. There are, however, certain places where there is little or no water in the middle of the day, owing to local defects which are now being remedied. It is impossible to answer the second part of this question, unless particular areas are specified. The pressure is automatically recorded in different parts of the town and can be ascertained at any time.

"(*c*) This was formerly the case, but under orders of the acting Chairman pumping at night was temporarily suspended ; it will shortly be resumed.

"(*d*) This information cannot easily be given, but it is known that the extra expense has hitherto been small. The engines at Talla would in any case have to be kept running to pump the water into the reservoirs at the other three filtered-water pumping stations. Moreover the pressure at night must be kept up, in order to search for leaks and generally to bring the mains and fittings into order for the continuous supply.

"(*e*) Under existing conditions, and until the water-works system of Calcutta is thoroughly re-modelled, it is impossible to maintain a pressure of 40 feet everywhere during the whole of the 24 hours. It is necessary to maintain pressure at night for the reasons given in the answer to the previous question.

[*Mr. Gait; Babu Bhupendra Nath Basu.*]

"(*f*) Some complaints have been noticed.

"(*g*) The pressure of the unfiltered water-supply is automatically recorded in the two pumping stations; the maximum is about 110 feet at both stations. It would take some time to work out the average pressure month by month.

"(*h*) On the 31st March, 1905, the number was 9,481.

"(*i*) These privies are ordinarily flushed with regularity; but there have been occasions, owing to defects and accidents, when sufficient pressure has not been maintained for short periods.

"(*j*) It is not the case that the Corporation of Calcutta is now vigorously enforcing on the people the conversion of service into connected privies. On the contrary, so far back as June, 1904, the Chairman stopped the issue of notices to connect privies, except in streets where he was satisfied that a sufficient pressure of unfiltered water is ordinarily maintained. The number of such notices issued in 1904-05 was 581.

"(*k*) About 500 bills are issued quarterly, for excess consumption of filtered water.

"(*l*) Not more than half a dozen complaints regarding the meters have been received during the past two years. In these cases the Corporation offered to have the meter checked in the presence of the complainant on payment of a fee of Rs. 5 (*vide* section 274 of the Act) to be returned if it is found to be more than two *per cent.* in error against the consumer. Every meter is checked before being fixed. The meters in use in Calcutta are of a make which is very common in the United Kingdom and America, where they are found to give satisfaction.

"(*m*) This question asks, not for information, but for an expression of opinion.

"(*n*) Government is aware that the reported supply of filtered water in Calcutta is 24·22 gallons per head per day for the population. It is not admitted that anything like 30 *per cent.* of this amount is wasted on account of leaks in mains and reservoirs. In addition to the above quantity of filtered water, about 22 gallons per head per day of unfiltered water is supplied. The total supply is thus greater than that in London and Glasgow according to the figures given in the question.

"(*o*) Yes.

"Most of the above questions might more suitably have been addressed to the Chairman of the Calcutta Corporation at a meeting of that body. It was therefore with some hesitation that Government decided to call upon the Corporation to supply the required information."

CONSERVANCY IN THE NORTHERN DIVISION OF CALCUTTA.

The Hon'ble BABU BHUPENDRA NATH BASU asked:—

(*a*) Has the attention of the Government been drawn to the state of the conservancy in the Northern Division of Calcutta, and to the statement of the Chairman of the Corporation at its meeting of the 24th May, 1905, "that it was with much regret that he admitted the fact" that the conservancy arrangements for this Division were extremely unsatisfactory and had failed?

(*b*) Will the Government be pleased to inquire and state what steps have been taken by the Corporation to improve the conservancy of the Northern Division?

[*Babu Bhupendra Nath Basu; Mr. Gait; Babu Ambika Charan Mazumdar.*]

(*c*) Has the attention of the Government been called to the expense of furnishing the meeting room of the Corporation? Will the Government be pleased to state the amount? Is it a fact that the chair provided for the Chairman has cost Rs. 1,500?

(*d*) Is the Government aware of the state of the roads in the Northern part of the town, and that they cannot be kept in sufficient repair for want of funds?

The Hon'ble Mr. Gait replied:—

"(*a*) and (*b*) The proceedings of all the Meetings of the Calcutta Corporation are submitted for the information of Government. The attention of the Hon'ble Member is invited to the information given by the Chairman of the Corporation regarding the conservancy arrangements in the Northern Division of the town at the Meeting of the Municipal Commissioners held on the 5th ultimo.

"(*c*) The Chairman reports that the cost of the furniture and equipment of the Council Chamber was Rs. 16,666. The Chairman's chair cost Rs. 410.

"(*d*). The Chairman reports that, with the exception of the main thoroughfares, the roads in the Northern part of the town are not generally in good repair. Repairs are now in progress. The sum of Rs. 1,34,789 has been allotted for District I and Rs. 1,19,421 for District II. These figures include special repair grants of Rs. 40,000 and Rs. 20,000 made this year to these two Districts."

UNHEALTHY CONDITION OF CERTAIN THANAS IN THE FARIDPUR DISTRICT.

The Hon'ble Babu Ambika Charan Mazumdar said:—

(*a*) In July, 1904, in an address presented to the Lieutenant-Governor by the Faridpur Peoples' Association, reference was made to the unhealthy condition of the thanas of Bhushana, Baliakandi and Pangsa, in that district, and to the heavy mortality among men and cattle in these places, owing, as it was said, to the silting up of the river Chandana. In reply, His Honour was pleased to promise an inquiry into the matter. May I ask if the inquiry has been made, and, if so, with what result?

(*b*) Is it or is it not a fact that these places have lost heavily in population since 1881, when the river Chandana began to silt up? And will the Government be pleased to lay on the table a statement showing the loss of population from year to year in these three thanas from 1881 to 1904, together with their total area, and, if possible, the area under cultivation in each of them?

The Hon'ble Mr. Gait replied:—

"The inquiry promised by His Honour was made by the Executive Engineer, Circular and Eastern Canals Division. His report shows that there is but little hope of opening out the river and bringing in water from the Padma without prohibitively large expenditure, and that, even if this were done, it is doubtful if it would remain open for any length of time. The Padma is constantly changing its course; and it is impossible to foresee its vagaries or to control them.

"It appears that the Chandana began to silt up, not twenty years, but half a century ago.

"The population of the Bhushana, Baliakandi and Pangsa thanas at each of the last three censuses is shown in the statement which I have laid on the

[*Mr. Gait; Babu Ambika Charan Mazumdar; Mr. Carlyle.*]

table. The total population of the three thanas has fallen from 322,850 in 1881 to 294,313 in 1901, but this seems to be due to changes in area. The population per square mile is very much the same now as it was in 1881. The birth and death returns for the last three years show that at present the death-rate greatly exceeds the birth-rate. The tract is at the present time one of the unhealthiest in Bengal."

Statement referred to in the above reply.

Census population of Bhushana, Baliakandi and Pangsa thanas in the district of Faridpur.

NAMES OF THANAS.	Population according to Census of 1881.	Area in square miles.	Population according to Census of 1891.	Area in square miles.	Population according to Census of 1901.	Area in square miles.
Bhushana thana	107,415	135	102,182	135	95,548	135
Baliakandi ,, ...	65,069	134	97,798	123	88,532	123
Pangsa ,, ...	150,366	197	126,615	165	110,233	165
Total ...	322,850	466	326,595	423	294,313	423

PARTITION OF BENGAL.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said :—

(*a*) Now that the Resolution for the Partition of Bengal has been issued, will the Government be pleased to publish the papers containing the proposals of the Government of India, and the Despatch of the Secretary of State sanctioning such proposals?

(*b*) Will the Government be further pleased to state whether this partition will be effected by a Proclamation or a Legislative enactment? And can the Government form any idea as to the probable time when the partition is likely to be effected?

The Hon'ble MR. CARLYLE replied:—

"(*a*) This Government has not been empowered to publish any papers regarding the partition.

"(*b*) The partition is to be effected by the Government of India, who will also decide as to the means of effecting it. This Government is not in a position to state the date fixed for giving effect to the partition."

GUN LICENSES IN BENGAL.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR asked:—

(*a*) Will the Government be pleased to lay on the table a statement showing, district by district, the number of gun licenses issued to the natives of

[*Babu Ambika Charan Mazumdar; Mr. Carlyle.*]

Bengal during the years 1900-1904, the number of cases in which such licenses have been cancelled or suspended under section 18, and the number of prosecutions started and the convictions obtained under section 19, of the Indian Arms Act, during the same period?

(*b*) Has the Government of Bengal taken any Census of fire-arms under section 32 of the said Act? If so, where and when?

The Hon'ble MR. CARLYLE replied:—

"Sir, I lay on the table a statement showing, district by district, for each of the last five years, the number of licenses for firearms issued in Bengal and the number cancelled under section 18 of the Indian Arms Act, 1878. Information as to the number of prosecutions and convictions under section 19 of the Act is not available in the Secretariat.

"No census of firearms has been taken by the Government of Bengal under section 32 of the Act."

Statement referred to in the above reply.

Statement showing the number of licenses for firearms issued in Forms VIII to XI in the several districts of Bengal during 1900 to 1904, etc., etc.

District.	Number of licenses for firearms granted. During the year 1900. In Form VIII. Fresh.	In Form VIII. Renewed.	In Form IX.	In Form X. Fresh.	In Form X. Renewed.	In Form XI. Fresh.	In Form XI. Renewed.	During the year 1901. In Form VIII. Fresh.	In Form VIII. Renewed.	In Form IX	In Form X Fresh.	In Form X Renewed.	In Form XI Fresh.	In Form XI Renewed.	During the year 1902 In Form VIII. Fresh.	In Form VIII. Renewed.	In Form IX.	In Form X. Fresh.	In Form X. Renewed.	In Form XI Fresh.	In Form XI Renewed.	During the year 1903. In Form VIII. Fresh.	In Form VIII. Renewed.	In Form IX	In Form X Fresh.	In Form X Renewed.	In Form XI Fresh.	In Form XI Renewed.	During the year 1904. In Form VIII. Fresh.	In Form VIII. Renewed.	In Form IX	In Form X. Fresh.	In Form X. Renewed.	In Form XI Fresh.	In Form XI Renewed.	Number of licenses in all Forms cancelled under section 18 of the Indian Arms Act. During the year 1900.	During the year 1901.	During the year 1902.	During the year 1903.	During the year 1904.	Remarks.
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Total ...	364	10,771	69	2	19	25	3	414	9,121	56	2	8	1	24	290	8,2.6	56	1	18		18	576	7,971	44	1	8	4	15	487	7,453	55	1	13	..	14	1	159	21	73	186	
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...idabad	121	1,343	12	..	..	..	2	126	1,923	15	...	..	..	2	57	1 51	9			2	4	58	1,256	7	.	..	1	6	81	1,278	1	.	..	...	7	1	2	15	11?	4	
... ...	17	2,035	29	...	15	...	...	30	1,701	41		15	..	..	80	1,851	45	...	15	...	...	5	1,222	29		15	..		28	1,2??	22	...	.	...		105	241	60	11	.	
... ...	45	728	3	...	...	...	...	44	760	...	.	..	..	1	105	797	..					67	804	...		...	...	1	42	84?			...		85	15	14	37	14	
... ...	96	1,100	3	..	...	1		61	1,148	5	...	..	21	215	85	1,083	3	..			210	97	1,099	1	.		22	179	186	1,004	1			6	200	103	76	121	115	123	
Total ...	412	8,449	53	...	17	25	821	448	7,993	74	.	16	25	865	537	8,103	84	.	16	7	595	373	7,224	50	.	16	23	562	414	7,303	54	...	1	8	544	339	347	195	279	163	
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...ur ...	58	1,007	5	...	...	..	5	41	955	7	..	..	..	5	32	889	8			1	2	39	895	4	...	...	.	3	48	698	3	..	..	...	2	89	82	110	116	3	
... ...	9	331	2	1	..	..	52	14	368	4	...	1	1	50	87	290	3	...	1	...	50	23	333	5	.	1	3	43	22	340	1	...	..	..	46	140	34	24	33	16	
...ur	30	2,047	11	21	16	...	19	79	2,005	19	..	19	..	18	61	1,904	16	..	15		18	63	1,773	19	.	14	1	17	91	1,728	19	.	5	..	14	48	13	16	10	35	
... ...	20	1,478	2	...	.	1	8	14	1,425	3	.	...	...	9	48	1,306	7	..	..	6	8	41	1,279	6	..	...	.	7	61	1,281	6	...	.	1	6	3?	194	39	31	6	
... ...	186	1,065	3	...	...	2	68	127	1,108	3	...		3	62	57	1,159	3	...	.	1	64	49	1,119	2	.	...	2	64	61	1,107	3	..	.	4	66	38	104	77	96	61	
Total ...	484	13,426	39	23	16	3	259	444	12,132	57	.	20	5	250	389	11,131	53	.	16	9	240	478	10,696	51	.	15	12	237	506	10,271	32	...	5	41	243	634	747	719	565	459	
...es Division.																																									
... ...	138	1,783	29		...	37	...	108	1,847	37	...	...		37	136	1,926	18	...	.	.	...	177	1,856	13	...	...	32		108	1,921	14	...	...	32		4		...	...	...	
...singh	27	3,939	2	...	...	6	...	34	3,848	8	4	...	3	6	55	3,757	22	..	4	7	9	277	3,475	28	...	3	.	16	42	3,590	15	...	3	.	16	738	83	44	119	97	
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[*Babu Ambika Charan Mazumdar; Mr. Inglis; Mr. Carlyle.*]

SILTING UP OF THE OLD RIVERS AND CHANNELS IN BENGAL.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR asked:—

In view of the gradual silting up of the old rivers and channels in Bengal, and the consequent complaints made regarding increased scarcity of water, insanitation and mortality among the people, will the Government be pleased to appoint a Commission to inquire into the condition of these rivers and channels and the various causes of these complaints, and to report on the means by which it may be possible to remedy them, so as to enable the Government to devise and adopt a systematic plan of action in dealing with these grievances?

The Hon'ble MR. INGLIS replied:—

"Taking Bengal as a whole, there is no reason to suppose that there has been any deterioration that is any reduction in the capacity of discharge of the rivers. It is the case that in certain parts of Bengal the channels through which the waters of the river Ganges find outlets to the sea now carry less water than formerly and in some instances have almost ceased to be flowing streams.

"It is equally the case that in other parts of Bengal the channels now carry more water than formerly and new channels have formed. These changes are due to natural causes which are, for all practical purposes, beyond our control. The matter has received the attention of Government for many years. No general remedy has yet been found, and it is extremely doubtful if one ever will be found. It has to be remembered that any attempts to alter the course of nature and to re-open channels which have closed or shrunk would, if successful, almost inevitably result in causing channels at present flowing to shrink or close. The net result would therefore be only to transfer the existing evils to some other place.

"Improvements in sanitation and in the supply of drinking-water must depend to a large extent on the action of the people themselves, whether as individuals or through their representatives on the District and Local Boards.

"In the year 1868 an inquiry was made into the want of drinking-water in the Nadia district. The conclusion then come to was that the evil was largely due to the apathy of the zamindars who had neglected to clear the beds of the existing tanks and who had ceased to make new tanks. This does not encourage the hope that any practical result would be attained by the appointment of a Commission; but the matter is one of great moment, and the Government does contemplate a special inquiry into it when an officer is available."

PROCESS FEES REALIZED UNDER THE PUBLIC DEMANDS RECOVERY ACT.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR asked:—

Will the Government be pleased to furnish a statement shewing the amount of process fees realized under the Public Demands Recovery Act for the purpose of serving notices and enforcement of certificates, the amount actually expended for such purpose, and the balance left, in each district, during the last five years from 1899-1900 to 1903-1904?

The Hon'ble MR. CARLYLE replied:—

"The information asked for is not contained in any statements now prepared. The preparation of the statement would require a special establishment, and the Lieutenant-Governor does not see any reason to believe that it would be worth the labour and expense involved. His Honour does not therefore think that the expenditure would be justified."

[*Babu Ambika Charan Mazumdar; Mr. Carlyle; Mr. Chaudhuri.*]

UNIVERSITY NOMINATIONS FOR THE PROVINCIAL CIVIL SERVICE.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR asked:—

Has the attention of the Government been drawn to a paragraph in the *Bengalee* of the 13th July, 1905, regarding the University nominations for the Provincial Civil Service? And will the Government, in view of the manifest hardship pointed out therein, be pleased to include the M.A.'s of 1903 and the B.A.'s and B.Sc.'s of 1904 among the candidates eligible for nomination by the Syndicate for the present year?

The Hon'ble MR. CARLYLE replied:—

"The Lieutenant-Governor has, since receiving this question, read the paragraph referred to in the *Bengalee*. His Honour had previously authorized the Syndicate, when nominating graduates, to report separately the case of students of the previous year whom they consider as specially worthy of notice. He had also proposed, if the Provincial Service cadre is increased, to appoint two or three distinguished M.A's of 1903 and B.A's of 1904 recommended by the Syndicate. B.Sc's of 1904 will be considered equally eligible with B.A's. He believes that these arrangements will best meet the requirements of the case."

PARTITION OF BENGAL.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said:—

Speaking at Malda on the 8th instant and referring to the question of Partition of Bengal, His Honour the Lieutenant-Governor is reported to have said:—"I have received letters and communications from both Muhammadans and Hindus saying that they strongly feel that the scheme has been devised for the good of the districts concerned." Is the report correct? And, if so, will the Government be pleased to publish the names of the gentlemen who have said so, so that the public may judge for themselves how far these persons were qualified to express such an opinion and the Government justified in accepting the same in the face of a practically unanimous opposition of the people concerned?

The Hon'ble MR. CARLYLE replied:—

"The Report is correct. The Lieutenant-Governor will not publish the names of the gentlemen referred to."

The Hon'ble MR. CHAUDHURI said:—

(*a*) It is stated in the Resolution of the Government of India relating to Partition of Bengal that "a scheme was submitted by the Government of Bengal for amalgamation with Assam of the Chittagong and Dacca Divisions and the districts of Pabna, Bogra and Rangpur." Will this Government be pleased to state whether it consulted any men of property or education in the said districts of Pabna, Bogra and Rangpur or any public bodies in Bengal, or even His Majesty's Judges of the Calcutta High Court, before submitting the scheme referred to to the Government of India?

(*b*) Will the Government be pleased to state the date when this scheme was submitted to the Government of India, and its reasons for not making it public or inviting public opinion thereon when it is the practice with the Government to do so in respect of much less important measures?

The Hon'ble MR. CARLYLE replied:—

"The Resolution referred to by the Hon'ble Member sets forth the facts clearly enough. The original scheme revised to meet the administrative necessities of the case, and contained in Mr. Risley's letter No. 3678, dated

3rd December, 1903, was published and widely circulated. It was discussed by public bodies, in public meetings, in conferences called by the Lieutenant-Governor for the purpose, and in official communications from officers who had done their best to ascertain public opinion. Objections of a serious nature were taken to the scheme. These were set forth in Mr. Macpherson's letter No. 2556J dated 6th April, 1904, which contained the larger scheme referred to in the quotation made by the Hon'ble Member from the Government of India's Resolution. This larger scheme was based entirely on the reasonable objections which had been taken to the original scheme, and secured to the transferred districts the privileges which they valued and might otherwise have lost."

The Hon'ble MR. CHAUDHURI said :—

(*a*) It is also stated in the same Resolution that "it was proposed to increase the transferred area by the districts of Rajshahi, Dinajpur, Jalpaiguri, Malda, and that the enlarged scheme was cordially accepted by the Government of Bengal."

(*b*) Will the Government be pleased to state whether, before expressing its approval of the Government of India's enlarged scheme, did the Bengal Government consult :—

(*a*) The District Magistrates and Collectors of the districts referred to?

(*b*) The Divisional Commissioners of the districts concerned?

(*c*) His Majesty's Judges of the Hon'ble High Court at Calcutta exercising Civil and Criminal jurisdiction over the areas mentioned?

(*d*) Any man of property or education of the districts?

(*e*) Any public bodies in Bengal?

(*c*) Will the Government also be pleased to state who are the Members of the Board of Revenue and the senior officers referred to in the Resolution who were consulted and concurred, and whether they or any of them were at any time the District Magistrate and Collector or Divisional Commissioner of the additional areas comprised in the enlarged scheme?

(*d*) Will the Government be pleased to state when the enlarged scheme was received by the Government of Bengal and when it signified its approval of the scheme, and what were its reasons for not making the enlarged scheme and its recommendations in this connection public?

The Hon'ble MR. CARLYLE replied :—

"The Resolution of the Government of India in paragraphs 5 and 6 states clearly what was done in regard to this matter; and this Government cannot at present give any more detailed information."

THE OFFICE OF DIRECTOR OF PUBLIC INSTRUCTION, BENGAL.

The Hon'ble MR. CHAUDHURI asked :—

Will the Government of Bengal be pleased to state what are the "circumstances and requirements" that have led the Government to make a "choice" or recommend a successor to Mr. Pedler as Director of Public Instruction in Bengal, departing from the ordinary practice and rule with regard to such appointments, and whether the recommendations of the Government of Bengal have been approved and sanctioned by the Government of India?

The Hon'ble MR. CARLYLE replied :—

"The Government of Bengal is not prepared at present to make any statement on this matter."

[*Babu Nalin Behari Sircar; Mr. Carlyle; Mr. Gait.*]

PARTITION OF BENGAL.

The Hon'ble BABU NALIN BEHARI SIRCAR, by leave of the President, withdrew the following question of which notice had been given :—

"In the Resolution of the Government of India, No. 2491, dated Simla, the 19th July, 1905, paragraph 6, it is stated :—

The Lieutenant-Governor reported he had discussed the proposal for the Partition of Bengal with the Members of the Board of Revenue and with his most senior officers, and had found that, with scarcely an exception, there was complete unanimity in accepting it.

"Will the Government be pleased (*a*) to give the date of this report to the Government of India, and (*b*) to mention the names of Members of the Board of Revenue and the most senior officers who were consulted and who were unanimous in accepting the enlarged scheme? (*c*) Was there any difference of opinion amongst them; if so, who were the dissentients?"

THIRD STIPENDIARY PRESIDENCY MAGISTRATE IN CALCUTTA.

The Hon'ble BABU NALIN BEHARI SIRCAR asked :—

1. (*a*) Will the Government be pleased to state whether the appointment of a Third Stipendiary Presidency Magistrate in Calcutta has been sanctioned as a temporary or a permanent arrangement?

(*b*) If temporary, for what period and when will it be over?

2. (*a*) Is it a fact that there is not enough work now for three Stipendiary Presidency Magistrates in Calcutta?

(*b*) With the transference of Municipal cases to a special Magistrate and with the recent appointment of some experienced retired Sessions Judges and Deputy Magistrates as Honorary Presidency Magistrates in Calcutta, does the Government consider that there is still necessity for retaining a Third Stipendiary Presidency Magistrate?

The Hon'ble MR. CARLYLE replied :—

"1. (*a*) The appointment of a third Stipendiary Presidency Magistrate has been sanctioned as a temporary arrangement.

"(*b*) It has been sanctioned for a period of two years, which shall expire on the 22nd December, 1905.

"2. (*a*) and (*b*) Government is not at this moment prepared to express an opinion as to whether there is sufficient work to justify the permanent retention of a third Stipendiary Presidency Magistrate. The question will be fully and carefully considered."

MORTALITY IN THE NATORE SUB-DIVISION.

The Hon'ble MR. GAIT, in continuation of the Answer given to the Question on this subject which was asked by the Hon'ble MR. CHAUDHURI at the Council Meeting of the 18th March, 1905, said :—

"The great unhealthiness of the Natore sub-division is a deplorable fact, but it is no new thing. As far back as 1825 the head-quarters of the district were removed from Natore town on account of its unhealthiness. This tract like many other parts of Central and Northern Bengal suffers from defective drainage. It is more than 160 miles from the sea and yet its elevation above sea-level is only 52 feet. About the middle of the 16th Century the Ganges left its former channel of the Bhagirathi and broke eastwards, thereby cutting across the old rivers and causing them to silt up. These rivers are thus no longer able to carry off the rain water, which stagnates in shallow *bils*. The question of opening out some of the local rivers has often been discussed. The

head of the Narad is said to have been excavated some fifteen years ago, but, in the short space of three years, it silted up again. The Collector of the district has made inquiries to ascertain whether the removal of the sand bars at the head of the Bural would ensure an abundant flow of water from the Padma along the streams mentioned by the Hon'ble Member in his question; but he considers that it is very doubtful whether this measure would be successful. The Padma has receded a long way from its north bank, and there is no certainty that, if the head of the Bural were opened, more water would come into it. The fact is that in attempting to control a river system like that of Bengal we are dealing with the forces of nature on a vast scale, and far more often than not our efforts are frustrated by the continued operation of the causes that have brought about the conditions which we desire to remedy.

"As the Hon'ble Member is well aware, Government has long had under its consideration a scheme for draining the Chalan *bil*, the largest sheet of inland water in Bengal. The portion of this *bil* that lies in the Natore subdivision occupies during the rainy season nearly half its total area. The Hon'ble Member is himself one of the Drainage Commissioners who have been appointed to consider this scheme; and it is understood that at their last meeting a resolution was passed opposing its further progress, partly on account of the cost, and partly because they were doubtful whether the sanitary benefits that have been claimed for it would really accrue. This is the scheme from which the best results have hitherto been looked for; and until a final decision has been arrived at regarding it, it would be premature to set on foot other projects of the same nature.

"The Hon'ble Member refers to the blocking up of culverts along the line of the Eastern Bengal State Railway, but it is reported that this is a result and not a cause of the gradual silting up of the old drainage channels.

"It appears from the Collector's report that the improvement of the tanks and moats in Natore town can be taken in hand without any very expensive operations. A further report will be called for on this point."

THE BENGAL DISORDERLY HOUSES BILL, 1905.

The Hon'ble MR. GORDON moved that the Bill to provide for the discontinuance of brothels and disorderly houses in certain localities in Bengal be referred to a Select Committee, consisting of the Hon'ble Mr. B. L. Gupta, the Hon'ble Mr. Allen, the Hon'ble Babu Bhupendra Nath Basu, the Hon'ble Babu Nalin Behari Sircar and the Mover, with instructions to report at the next meeting of Council. He said:—

"Sir,—At the last meeting of this Council on the 8th July last, the Hon'ble Mr. Carnduff moved for leave to introduce the present Bill, and the Bill was introduced and read. I have now to move that the Bill to provide for the discontinuance of brothels and disorderly houses in certain localities in Bengal be referred to a Select Committee."

The Motion was put and agreed to.

THE CALCUTTA PORT (AMENDMENT) BILL, 1905.

The Hon'ble MR. INGLIS presented the Report of the Select Committee on the Bill to amend the Calcutta Port Act, 1890.

The Hon'ble BABU BHUPENDRA NATH BASU said:—"With reference to the Report of the Select Committee I have to offer the thanks of the public to the Members of the Select Committee for their accepting the suggestion which was thrown out at the time the Bill was referred to them, namely, that the Port Commissioners should not be allowed to enter into competition with private enterprise. I am glad to find that they have accepted that suggestion, and that so far as carrying goods is concerned they have omitted that clause from the Bill as originally introduced. They have, however, retained

the clause for the carrying of passengers and their luggage from the various papers that were submitted to them. It is clear that that provision will be welcomed by the public as a safer means of crossing the river at certain times of the year. I therefore have much pleasure in accepting the Report of the Select Committee on the points that were raised at the last meeting."

The Hon'ble MR. INGLIS said:—"Sir,—Before making the motion which now stands in my name, I wish to put before the Council a few remarks as a supplement to the Report of the Select Committee.

"The main object of this Bill is to enable the Port Commissioners to establish and work a steam ferry service on the river.

"The only objection which has been made to this proposal is one put forward by the Bengal National Chamber of Commerce. They oppose on the ground that it will seriously interfere with private enterprise.

"Well, Sir, I suppose that no addition to or improvement in the means of locomotion can be made without interfering with some interests. No railway can be opened without interfering with cart traffic. The electric tram-cars, which are such a boon to Calcutta, have interfered with ticca gharies. In the same way I have no doubt that a steam ferry service will displace some of the dinghies which now ply in the river. This is inevitable.

"On the other hand the ferry service will be of great value to the residents of Calcutta, and it is the interests of the public and not private interests that demand the greatest consideration. As it appears that the carriage of cargo is sufficiently provided for by private enterprise, the Select Committee have, with the desire of meeting the views of the mercantile community, advised the withdrawal of the provision by which the Commissioners might carry cargo with the consent of the Local Government.

"It is proposed to authorize the Commissioners to carry only passengers and their baggage. Private enterprise has not provided the facilities desired for this passenger service, nor does there appear to be any prospect of its doing so. I need not enter into a discussion of the vexed question of Municipal or State trading. We have here the concrete fact that the Port Commissioners as a body are already engaged and successfully engaged in very large industrial enterprises as owners and managers of railways, docks, jetties and warehouses. They have at their command a large and efficient staff and they are eminently in a position to give the public of Calcutta what it wants in the form of a good ferry service.

"In regard to the alteration in the constitution of the Commission, Members of Council will have seen from the Report of the Select Committee that it is now proposed to increase the existing number by one only, and that this additional member is to be elected by the Bengal Chamber of Commerce. I may explain that this increase in the representation of the Chamber is rather apparent than real. At present, as I said when introducing the Bill, the Local Government has given one of its nominations to a representative of the Inland Steamer Companies. This is somewhat of an anomaly, and in future it will be left to the Chamber of Commerce to provide for the representation of the Inland Navigation. The net practical result therefore of what is now proposed will be to give back one nomination to the Local Government which it had virtually surrendered to a private body.

"The remaining provision in the Bill, by which the Port Commissioners will be enabled to charge a fee for registering and licensing all boats plying in the port, whether plying for hire or otherwise, has been received without comment.

"I have now, Sir, to move that the Report of the Select Committee be taken into consideration and that the clauses of the Bill be considered in the form recommended by the Select Committee."

[*Babu Bhupendra Nath Basu; Mr. Inglis.*]

The Hon'ble BABU BHUPENDRA NATH BASU said:—"Before Your Honour puts the question there is one observation which I would like to make with Your Honour's permission, and that is this: The hon'ble mover when referring to the question of competition with private enterprise was pleased to refer to the case of the Calcutta Tramways against ticca ghariwallahs—that much-abused and I am afraid long-suffered evil, but the Hon'ble Member forgets that that was private enterprise against private enterprise, organisation probably against non-organisation. Here we have got the State practically entering into competition with private enterprise. The Port Commissioners as a body is practically a department of the State, and it was from that point of view that I, as a member of the public and other public bodies, took exception to the provisions of the Bill which would have enabled the Government to enter into competition with public enterprise. That question has been, however, satisfactorily solved by the Select Committee, and I have no desire to raise any discussion on the subject."

The Motion was put and agreed to.

The Hon'ble MR. INGLIS also moved that the Bill, as amended, be passed.

The Motion was put and agreed to.

The Council was then adjourned *sine die*.

CALCUTTA;
The 2nd September, 1905.

F. G. WIGLEY,
Secretary to the Bengal Council.

B. S. Press—13627—300—9-9-1905—L. N.

bstract of the Proceedings of the Council of the Lieutenant-Governor of Bengal assembled under the provisions of the Indian Councils Acts, 1861 and 1892.

THE Council met in the Council Chamber on Saturday, the 18th November, 905, at 11 A.M.

Present:

The Hon'ble SIR ANDREW FRASER, K.C.S.I., Lieutenant-Governor of Bengal, *presiding*.

The Hon'ble MR. L. HARE, C.I.E.

The Hon'ble MR. F. A. SLACKE.

The Hon'ble MR. B. L. GUPTA.

The Hon'ble MR. P. O'KINEALY, Advocate-General of Bengal.

The Hon'ble MR. R. W. CARLYLE, C.I.E.

The Hon'ble MR. L. P. SHIRRES.

The Hon'ble MR. G. GORDON.

The Hon'ble MR. C. G. H. ALLEN.

The Hon'ble MR. C. F. LARMOUR.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR.

The Hon'ble BABU NALIN BEHARI SIRCAR, C.I.E.

The Hon'ble MR. J. CHAUDHURI, M.A.

The Hon'ble ASIF KADR SAIYID WASIF ALI MIRZA, of Murshidabad.

The Hon'ble RAJA BAN BEHARI KAPUR, C.S.I.

The Hon'ble BABU JOGENDRA NATH MUKHERJEE, M.A., B.L.

The Hon'ble MR. J. D. NIMMO.

The Hon'ble BABU BHUPENDRA NATH BASU, M.A., B.L.

NEW MEMBERS.

The Hon'ble MR. SLACKE, the Hon'ble MR. SHIRRES, the Hon'ble BABU JOGENDRA NATH MUKHERJEE, the Hon'ble MR. NIMMO and the Hon'ble BABU BHUPENDRA NATH BASU took their seats in Council.

[*Babu Ambika Charan Mazumdar; Mr. Carlyle.*]

QUESTIONS AND ANSWERS.

THE CIRCULAR ABOUT STUDENTS.

The Hon'ble BABU AMBIKA CHARAN MAZUMDAR said :—

Referring to the recent circular about the students, I would ask for the following informations, viz.:—

(*a*) Were there any cases in the mufassal, prior to the issuing of the circular, where students had been charged with any breach of the peace either in connection with the *Swadeshi* movement or the anti-partition agitation? If so, will the Government be pleased to lay on the table a statement of such cases with their results?

(*b*) Did Government consult any educationists, such as Sir Guru Doss Banerjea, Dr. P. C. Roy, the Rev. Mr. Wann, the Very Rev. Father Lafont, etc., before issuing the circular? If so, did they approve or disapprove of any such repressive measure?

(*c*) Will the Government be pleased to state whether working for the *Swadeshi* movement by any class of people can simply by reason of their number constitute an unlawful assembly within the meaning of section 17 of Act V of 1861? And if the acts of persons so working are unaccompanied by any use or show of force, violence or disturbance, could such acts furnish any lawful basis for appointment of special Police officers under the said section?

(*d*) Will the Government be pleased to state whether it considers the singing by any class of people of any song to be an offence unless such song is either obscene, libellous or seditious?

(*e*) Will the Government be pleased to explain how the teachers can be legitimately held responsible for anything done by the students outside their schools and beyond the school hours? And will the Government be pleased to consider whether the employment of teachers and professors as special Police officers is not likely to lower the prestige, dignity and efficiency of the educational service and thereby materially affect the education of the country?

(*f*) Will the Government be pleased to state why the circular has not been made applicable to Calcutta, where the student community are more actively working for the *Swadeshi* movement than probably anywhere else?

(*g*) Has the attention of Government been drawn to the state of things at Rangpur? If so, will the Government be pleased to state what was the precise offence committed by the students there and under what law or authority has the Magistrate there fined nearly 200 boys with Rupees five (Rs. 5) each? To what department is such fine, if realised, to be credited?

(*h*) Having regard to the actual views of Government as recently explained by His Honour the Lieutenant-Governor, and in view of the fact that the circular has actually been misconstrued and misapplied in some cases, will the Government be pleased, in the interests of public peace and tranquillity, to withdraw the circular altogether, leaving such matters entirely in the hands of the Educational Department without any intervention either by the police or by the Magistrates?

The Hon'ble MR. CARLYLE replied :—

"(*a*) There were a few cases reported to Government in which students have actually been guilty of a breach of the peace in connection either with the *Swadeshi* movement or the anti-partition agitation. Government, before

[*Mr. Carlyle; Babu Ambika Charan Mazumdar; Asif Kadr Saiyid Wasif Ali Mirza, of Murshidabad.*]

issuing the circular, had also received information that in many parts of the mufassal a state of things existed under which students by picketing and other devices had coerced a large number of people into abstaining from buying what they pleased and tradesmen from importing or selling what they pleased. Government is not prepared to lay on the table the confidential reports it has received on the subject.

(*b*) Government issued the circular in consultation with its advisers in the Educational Department.

(*c*) Government is not prepared to express an opinion regarding cases vaguely and hypothetically put. But it is obvious that the assembly of any class of people in large numbers to put pressure on any section of the community may easily lead to a state of things which would end, unless properly controlled, in a serious breach of the peace.

(*d*) Songs, though neither obscene, libellous, nor seditious, may be sung in such a way or under such circumstances as to give reasonable offence and endanger the public peace.

(*e*) Government cannot accept the view that teachers are not responsible to exercise an influence over their pupils for good outside their school. In the opinion of Government, the employment of teachers and professors as special police officers is not likely to lower the prestige, dignity, and efficiency of the Educational Service. It is a service which may be exacted from all members of the community, from the highest to the lowest.

(*f*) Government is in a position in Calcutta to take immediate steps to suppress nuisances. The circular has been communicated to the Commissioner of Police, who has been instructed, if necessary, to take steps in accordance with the spirit of the instructions contained in that circular.

(*g*) The Hon'ble Member is well aware that Rangpur does not belong to this Province.

(*h*) The Lieutenant-Governor is not prepared to withdraw the circular. There is now no excuse for any misunderstanding of the circular. It is for the District Magistrate to see that the liberty and peace of the community are not interfered with by any section thereof; and the circular simply advises him to secure the assistance of the educational authorities in dealing with students and school-boys."

GOVERNMENT OFFICERS AND THE SWADESHI MOVEMENT AND ANTI-PARTITION AGITATION.

The Hon'ble Babu Ambika Charan Mazumdar asked:—

Does the Government approve of any of its servants inciting people either against the *Swadeshi* movement or against the agitation against the partition of Bengal? If not, will the Government inquire whether there are not officers who are actually doing so, or in case the Government is not willing to make such an inquiry, will it be pleased to issue a circular forbidding all public servants from working against either of these movements and enjoining them to an attitude of perfect neutrality?

The Hon'ble Mr. Carlyle replied:—

"Government has no reason to believe that any of its officers are taking any improper action against the *Swadeshi* movement, or against the agitation in connection with the partition of Bengal; and there is no occasion for an inquiry or for the issue of a circular."

BUDGET FOR THE WESTERN PROVINCE OF BENGAL

The Hon'ble Asif Kadr Saiyid Wasif Ali Mirza, of Murshidabad said:—

Owing to the recent partition of Bengal and the creation of the new Province of Eastern Bengal and Assam, is it not necessary to prepare a new Budget for the Western Province of Bengal for the year 1905-1906?

[*Asif Kadr Saiyid Wasif Ali Mirza of Murshidabad*; *Mr. Shirres*; *Mr. Chaudhuri*; *Mr. Carlyle.*]

If so, will the Government be pleased to state when such a Budget would be prepared and laid before the Council?

The Hon'ble MR. SHIRRES replied:—

"The Provincial Budget is merely a consolidation of the district budgets, and the districts which have been transferred to the new Province have taken their budget allotments with them. It will not be necessary to prepare a new budget for 1905-1906."

RAMPUR BOALIA WATER-WORKS AND RANGPUR DRAINAGE WORKS.

The Hon'ble MR. CHAUDHURI asked:—

Will the Government be pleased to state how much out of the provisions made for the water-works of Rampur Boalia and the drainage works of Rangpur in the budget for 1905-1906 has been appropriated to the works referred to?

Is it not the case that the Sanitary Engineer submitted his report on the said water-works and the drainage works in June last, and if no money has been allotted yet for the works referred to above, will the Government state its reasons for the non-appropriation of the budget grants for the purposes referred to?

The Hon'ble MR. SHIRRES replied:—

"The places referred to are now included in the Province of Eastern Bengal and Assam, and all papers referring to them have been transferred to the Government of that Province."

THE BOARD OF REVENUE.

The Hon'ble MR. CHAUDHURI asked:—

It is stated in the Lieutenant-Governor's letter of the 6th April, 1904, regarding the partition of Bengal that the Lieutenant-Governor was then maturing a scheme, in consultation with the Board of Revenue, for associating its members more closely with himself in the administration of the Province. If any such scheme has been matured, will the Government be pleased to publish it for public information?

The Hon'ble MR. CARLYLE replied:—

"The Lieutenant-Governor has matured a scheme in consultation with the Board of Revenue for associating the Members of the Board more closely with himself in the administration of the Province.

He does not propose to publish any information as to the details of the scheme which introduces no changes of principle into the administration of the Province."

THE DIRECTOR OF PUBLIC INSTRUCTION.

The Hon'ble MR. CHAUDHURI asked:—

Is the Government in a position to state whether a member of the Indian Civil Service is to succeed Mr. Alexander Pedler on the latter's retirement from the office of the Director of Public Instruction in Bengal?

Is the office of the Director of Public Instruction to be abolished and an Educational Secretary appointed in his place to discharge his duties?

Is the Government aware that a scheme for the conversion of the Educational Department into an Executive Department of the Bengal Government was contemplated by Sir George Campbell and then abandoned, having been called into question in Parliament? Having regard to this fact, does the Government intend to revive a similar scheme?

[*Mr. Gordon*; *Mr. Chaudhuri*; *Mr. Carlyle*; *Mr. Slacke.*]

The Hon'ble MR. GORDON replied:—

"The answer to the first question is that the Hon'ble Member is referred to the answer given by the Secretary of State for India to Mr. Hugh Law's question on the 3rd August, in which it was stated that he was aware that the Government of Bengal did propose to appoint a member of the Indian Civil Service to succeed Mr. Pedler temporarily as Director of Public Instruction in March next. An officer of the Education Department has been already selected for appointment as Inspector of Schools, so that at the end of two years he may be fully acquainted with the details of the administration of the Department and qualified for the Directorship.

The answer to the other questions is that Government does not intend to abolish the office of the Director of Public Instruction and appoint an Educational Secretary in his place, or to convert the Educational Department into an Executive Department of the Bengal Government."

CIRCULAR PROVIDING FOR THE PUNISHMENT OF SCHOOL-BOYS TAKING PART IN POLITICS.

The Hon'ble MR. CHAUDHURI asked:—

(*a*) Is it a fact that the circular issued by the Chief Secretary to the Government of Bengal, providing for the punishment of school-boys for taking part in politics or in the *Swadeshi* movement and for the enrolment of teachers as special constables as a safeguard against school boy disturbances, was forwarded to all the District Magistrates in Northern and Eastern Bengal about three days before the said districts of Bengal were proposed to be severed from the Bengal Administration?

Was the same circular forwarded by the same officer at about the same time to the District Magistrates of the remaining portion of Bengal?

(*b*) If there be any districts in Bengal where the circular has not been forwarded, will the Government be pleased to name them?

(*c*) Which are the districts where the Government anticipated or was informed that different sections of the people were likely to come into conflict, and did the Government ascertain how far the information, if any, was based upon facts?

(*d*) Since the issue of the circular to mufassal Magistrates, is it not a fact that the Director of Public Instruction and the Commissioner of the Presidency Division in Bengal were deputed to consult some leading educationalists in Calcutta as to the policy of the circular and that they unanimously condemned it?

The HON'BLE MR. CARLYLE replied:—

"The circular referred to in the question was issued to all districts of Northern and Eastern Bengal shortly before the partition with the consent of the Government of Assam. It was issued about the same time to a few District Magistrates in other parts of Bengal. The Government is not prepared to give any information as to the districts in Bengal to which the circular has not been forwarded, nor as regards the information it obtained before the issue of the circular. It is not correct that the Director of Public Instruction and the Commissioner of the Presidency Division in Bengal were deputed to consult some leading educationists as to the policy of the circular, and that they condemned it."

THE CHOTA NAGPUR TENANCY (AMENDMENT) BILL, 1905.

The Hon'ble MR. SLACKE moved for leave to introduce a Bill further to amend the Chota Nagpur Landlord and Tenant Procedure Act. He said:—

"I would ask, Sir, for leave to introduce this Bill which is one to amend the wording of section 164 of Bengal Act I of 1879, known as the Chota Nagpur Landlord and Tenant Procedure Act. The section in question was introduced into the Act by Bengal Act V of 1903. It was taken from section 25 of Bengal Act II of 1869, the Chota Nagpur Tenures Act, locally

known as the Bhuinhari Act, the intention being to thereby leave all questions relating to these peculiar Mundari khuntkatti tenancies to the jurisdiction of the Settlement Officer and the Commissioner, and that the record so prepared should be final and conclusive as regards existing facts. This section provides that the entries relating to Mundari khunt-kattidari tenancies made in a record-of-rights when finally published under section 103A, sub-section (2) of the Bengal Tenancy Act, 1885, or amended under section 162 of the Chota Nagpur Landlord and Tenant Procedure Act, shall be conclusive evidence of the nature and incidents of such tenancies. One of the entries to be made in the record-of-rights is the name of the person who is the Mundari khunt-kattidar in respect of the tenancy.

"In the course of the proceedings now being carried out in the district of Ranchi for the preparation of a record-of-rights the question was raised by the Settlement Officer as to whether the wording of section 164 of the Act was such as to warrant all the entries made in the record-of-rights in regard to a certain Mundari khunt-kattidari tenancy being taken as conclusive of the facts to which they related. The Settlement Officer raised the question because he had to decide and record in regard to tenancies of this class who was the holder in each case, *i.e.*, the real Mundari khunt-kattidar. I would point out to the Council, as I did before when dealing with the Bill which eventually became Bengal Act V of 1903, that the privileges and incidents connected with a Mundari khunt-kattidari tenancy are not inherent in the land itself, as in the case of land known as *sir* or *zirat*, but depend on who is the person in possession. A person who claims the right to hold certain land as a Mundari khunt-kattidar must prove for one thing, that he is the lineal male descendant of the Mundari who originally got the land as a Mundari khunt-katti tenancy. If he fails to do this he cannot be recorded as holding the land under such a tenancy and the land could no longer be regarded as an existing Mundari khunt-kattidari tenancy. The matter was referred to the legal advisers of Government, who considered that the question as to who is the actual or rightful tenant was not covered by the wording of the section, which is therefore defective, and fails to embody the intentions of the Government, and consequently requires to be amended in the manner proposed by the Bill I am now asking for leave to introduce.

"As proof of my assertion that the section in question fails to embody the intention of the framers of it, I would first refer to what the Select Committee said in their Report on the Bill which eventually became Bengal Act V of 1903. In that Report the Select Committee said in paragraph (36) with regard to this section: 'We have also considered it essential to provide that the entries in the record-of-rights shall be final and conclusive, so that confidence may thereby be restored to the minds of these people.'

"Subsequently, in a communication to the Government of India with reference to the sanction of the Governor General in Council to the passing of Bengal Act V of 1903, it was stated as follows:—'The Lieutenant Governor feels convinced that it would be a grave mistake to withhold in the case of the proceedings in respect of khunt-katti tenures the finality which was accorded in the case of those relating to bhuinhari lands.' I would therefore now, Sir, ask that this Bill may be introduced into this Council."

The Motion was put and agreed to.

The Hon'ble MR. SLACKE introduced the Bill and moved that it be read in Council.

The Motion was put and agreed to, and Secretary accordingly read the title of the Bill.

The Hon'ble MR. SLACKE also applied to the President to suspend the Rules of Business to admit of the Bill being taken into consideration and passed at the present meeting.

He said:—"I would now, Sir, ask you to suspend the Rules Relating to Business in this Council so that the Bill may be taken into consideration at this meeting and passed.

[*Mr. Slacke; The President.*]

"I will endeavour to give the reasons which compel me to make this request.

"For generations the Mundaris in Ranchi—the race is aboriginal—have been in a state of unrest owing to their inability to protect what they believe to be their rights in the land. On different occasions they have rebelled believing that they would be able to get by force what they considered to be their right. To remedy this state of affairs the Bhuinhari Act of 1869 and the Chota Nagpur Landlord and Tenant Procedure Act of 1879 were passed; but subsequent events, culminating very recently in another uprising of this clan, showed that further measures were required to put an end to the legitimate grievances of these Mundaris. Government accordingly determined to have a record-of-rights prepared for this district, and the inquiries thereby originated showed that these aborigines had no confidence or trust in the Courts, owing chiefly to their mental inferiority as compared with the Aryans opposed to them. These people were therefore made to understand that Government would as far as possible deal with their claims by special inquiry on the spot, so that there should be no doubt in the future in regard to those that were recognized. Accordingly Bengal Act V of 1903 was passed, and a part of that Act deals with the subject of Mundari khunt-katti tenancies. The Settlement Officer began operations in the most disturbed portion of the Ranchi district, and his labours have been extremely beneficial, for the Mundaris of the large tract known as the Mankipatti have become quiet believing that now their rights as entered in the record-of-rights are final and conclusive and admit of no contradiction. This, as I have already said, is a belief which it was the intention of Government these aborigines should hold, but unfortunately it is not a belief that is warranted by the existing wording of section 164.

"No decision has yet been given by a Civil Court on the point, but the opinions of the legal advisers of Government show that in all probability such decision would be to the effect that the belief engendered by Government in the minds of these aborigines was a false one.

"I have known these people for many years and for the last four years have been in close touch with the record-of-rights proceedings now going on. If any such decision were given by a Civil Court, the result to the peace of the district would be in the very highest degree disastrous. What is being done has had the effect of restoring to some extent confidence in the minds of these aborigines who unfortunately have been made most suspicious by past events. A decision that the entries in the record-of-rights were not final and conclusive in regard to these peculiar tenancies would be viewed by these arborigines as another breach of faith on the part of Government and would retard for years the hope of restoring confidence in their minds.

"To me, knowing what I do of this people and their past history, it seems absolutely essential that this amendment should be passed as quickly as possible in order that the disturbances of the past may not be renewed and that the work of pacification now being carried out may not be rendered nugatory. With these remarks I would ask that this Bill may now be considered by the Council."

The Hon'ble THE PRESIDENT said:—"I consider that the reasons given by the Hon'ble Mr. Slacke are adequate, and I therefore suspend the rules with the view that the Bill be now taken into consideration."

The Hon'ble MR. SLACKE moved that the Bill be taken into consideration.

He said:—"I have no further remarks to make, except this, that the matter is of a non-contentious description, and it merely provides that the wording of the section shall be in the terms of the intention which was held by Government when section 164 of Bengal Act V of 1903 was passed."

The Motion was put and agreed to.

The Hon'ble MR. SLACKE then moved that the Bill be passed.

The Motion was put and agreed to.

THE BENGAL LAND REGISTRATION (AMENDMENT) BILL, 1905.

The Hon'ble MR. HARE moved for leave to introduce a Bill to amend the Land Registration Act, 1876. He said:—

"I feel that possibly some apology will be necessary for troubling the Council with this Bill to amend the Bengal Land Registration Act, 1876.

"The main object of the Bill is, as stated in the Statement of Objects and Reasons, to give greater latitude to the Board in the matter of the registers to be maintained to carry into effect the intentions of the Land Registration Act. The Act as it stands prescribes with far too great detail and rigidity the manner in which registrations are to be made.

"It is often alleged that the legislation of the Indian Councils leaves too much latitude to Government in the matter of making rules. But this is a very clear instance of the extreme unwisdom in attempting to prescribe in too great detail how the intentions of an Act are to be accomplished.

"The Land Registration Act was framed for the purpose of obtaining a record of the interests of the proprietors of estates in Bengal and of maintaining this record corrected up to date. This was a huge undertaking when we remember that there are nearly 191,000 estates to which this Act applies and over 1,017,000 interests are recorded, taking the figures of last year, when also over 77,000 mutations were recorded. It was extremely unlikely that the best possible method for carrying out this difficult task would be hit upon in the first instance, or that no improvements of system could be suggested as the result of experiences.

"The method which was adopted was to start a register called Register A of the interests as they were when the Act was passed. To register the corrections, a second register called D was opened in which the orders for making changes as they occurred were posted in order of date, cross-references being made to the original entries in Register A. This worked very well at first, but as change followed upon change it became exceedingly difficult to ascertain the interests extant at the moment of inquiry. On each occasion the Register A had to be referred to and the corrections had to be followed down in all their ramifications. Where change had followed on change this work was most laborious, and it had to be repeated at every occasion of reference and great delay resulted. References to ascertain the interests in an estate are continually being made, and in many case an answer to the inquiry is urgently required. No doubt when matters got very bad the original Register A was written up afresh and a fresh start made only to become involved and complicated again in course of no long time.

"A reform was then introduced under which Register D was kept estate by estate in tauzi number order. The interests at the time of writing it up in the new form were posted under the estate number, and as each correction was ordered it took the form of 'in lieu of entry so and so, enter entries so and so.' The entry to be altered was then neatly scored through by a red line and the new entries posted up with cross-references between them and the old entries and a reference to the order directing the change. Blank pages were left under each estate for this purpose. This gave at any moment an easily readable statement of the interests as corrected up to date. Being in tauzi number order any estate could be easily found.

"It is obviously easy to put into this new register all the informations previously contained in Register A and thus to do away altogether with a bulky and superfluous register. Nor is this the only advantage. Register A is under the Act arranged alphabetically, and a serial number is given in this register to each estate in the order in which it is written up. But new estates are continually being formed and named and these have to come in at the end of the register until such time as it is re-written when they are put into their alphabetical position and the whole series re-numbered. Thus the Register A number is frequently changed, and as this number is quoted in all references to the estate, continual mistakes arise from misquoting these varying numbers, and all the numerous and bulky registers in the tauzi accounts and in the Road Cess Department and other registers have to be continually corrected in regard to this A number.

[*Mr. Hare; Mr. Carlyle.*]

"This procedure is prescribed by Act and so could not be at once changed when it was found to be unnecessary and an enormous amount of labour has been involved and the record-rooms have been cumbered with a great bulk of registers which could have been avoided. It is to obviate this labour and the complication entailed by the present system that this Bill is proposed which will also give the Board power to take up any new and suitable devices which may be found expedient to carry out in the simplest and most economical manner the intentions of the Act. We do not propose to prescribe the forms we now advise, but to leave ourselves power to adopt any more expeditious and simple plan if such can be discovered. Some of the other registers such as Register C of mauzas will be simplified and made more convenient and brought into conformity with the registers of the record-of-rights.

"The power contained in section 13 of the Land Registration Act in regard to lakhiraj estates was also found to be too curtailed. In Orissa we would have liked to be able to adopt the registers prepared by the Settlement Department, but we were advised that this was not possible without a modification of the Act, and so now power is taken to enable us on a future occasion to adopt such registers. This is done by section 3 of the Act.

"These are the two principal objects of the Bill, but there are one or two more points which may be referred to. But I do not propose to ask you to follow me through all the sections of the Bill, since this is done in the Statement of Objects and Reasons, and many of the clauses are of a purely technical nature.

"The amendment of the definition of 'mauza' in the Act may be noticed. It follows actual custom and practice, and the object is to make more precise and definite the description of the position of the lands of an estate. By referring them to a survey record where there has been a revenue survey it is possible to have the boundaries relaid at any time and no doubt can arise as to the site intended.

"In clause 7 it is required that a minor who comes of age and a beneficiary when they take direct charge shall have themselves registered. This is usually done, but the Act at present does not specifically require it.

"In clause 9 power is taken to compel attendance of applicants or their agents, which is often necessary in order to complete an inquiry and is just as necessary as the power to compel the attendance of witnesses. It may be argued that a party may be a witness and as such can therefore be compelled to attend, but it is perhaps better to be explicit on the point.

"Clauses 11 and 12 fix fees for registrations in cases not hitherto provided for.

"Clause 13 gives a Collector power to close a separate account in all cases in which it is found that it no longer represents the present condition of affairs.

"Clause 14 merely makes it clear that the present interpretation of the Act in section 47 is correct. It has been argued that the Act requires in the case of every change the publication not only of the changes effected, but also of all the other items recorded in regard to the estate. These often run to hundreds of items, and their publication would be very laborious and would serve no useful purpose. With these remarks I would ask leave to introduce this Bill to amend the Land Registration Act, 1876."

The Motion was put and agreed to.

The Hon'ble MR. HARE introduced the Bill and moved that it be read in Council.

The Motion was put and agreed to, and Secretary accordingly read the title of the Bill.

THE CALCUTTA POLICE (SUPERANNUATION FUND) BILL, 1905.

The Hon'ble MR. CARLYLE moved for leave to introduce a Bill to abolish the Calcutta Police Superanuation Fund.

[*Mr. Carlyle; Mr. Hare.*]

He said:—"This is in no sense a contentious matter, and I do not think I need make any remarks except to say that we want to introduce exactly the same system as prevails in the District Police in which no deductions are at present made on account of pensions or gratuities. We want to extend that system to Calcutta."

The Motion was put and agreed to.

The Hon'ble Mr. Carlyle introduced the Bill and moved that it be read in Council.

The Motion was put and agreed to, and Secretary accordingly read the title of the Bill.

THE BENGAL COURT OF WARDS (AMENDMENT) BILL, 1905.

The Hon'ble MR. HARE moved for leave to introduce a Bill to amend the Court of Wards Act, 1879. He said:—

"Your Honour—In introducing the Bill it is necessary to say only a few words as to the objects and reasons for the a mendments which it is proposed to make in the Bengal Court of Wards Act, 1879. The proposal to amend the existing Act arose out of a wish to utilize the funds of certain charitable trusts in loans to the Court of Wards. In consequence of the reduction of the rate of interest on Government securities in which the funds of most of the charitable trusts have been invested, the incomes of these trusts have in many cases been seriously reduced, and it has become a matter of importance that, if possible, a safe investment which would yield a larger return on their capital should be open to them. The Court of Wards on the other hand are constantly in need of money which they can rarely borrow at less than 6 *per cent.*, and it is desirable that they should be able to borrow from the Trust Funds when these have money to lend.

"This at present can only be safely done in cases in which the estate for which the money is borrowed is one of which the proprietor has been declared disqualified under section 6 (*e*) of the Act. In that case under section 9 (*f*) the estate may be retained under the Court's management so long as the loan has not been repaid. In other cases the death of the heir or some other change of circumstances may take the estate out of the control of the Court, and the party who advanced the loan would be only in the position of an ordinary creditor who had advanced money on a mortgage on the estate. Such a loan might be in fact safe and be ultimately recoverable, but the trustees could in default of payment of interest and capital only recover by a suit. They would have to expend much money and engage on a difficult business for which they were quite unsuited, and the trust might be seriously crippled.

"And this difficulty not only affects trusts, but also is a great detriment to private capitalists and banks who are in a position to lend money to the Court. It very seriously detracts from the borrowing power of the Court and increases the interest which it has to pay. It thus becomes much more difficult for the Court to rescue from ruin estates which are badly involved, in all cases in which it cannot give an assurance that the estate will be retained until the loans raised to repay the debts and liabilities due by it are discharged.

"There are thus very strong reasons for the amendment of the Act to enable the Court of Wards to retain the management of the estate until the monies borrowed by it have been repaid. In the Court of Wards Act of the Central Provinces (XXIV of 1899), section 34, proviso (i), the United Provinces Act (III of 1899), sections 41 (2) and 42 (1), the Madras Act (I of 1902), section 57, and the Punjab Act (II of 1903), section 45, provisions are made to secure this object, and a Bill to amend the Bombay Court of Wards Act in section 40 (1) contains a similar provision.

"The Bengal Act clearly should also secure the same power to the Court of Wards in Bengal. This is proposed to be secured by clauses 2 and 4 of the Bill.

[*Mr. Hare.*]

"There is next to be noticed another difficulty which the Court of Wards have to meet. Before the Court can give any such guarantee as I have just mentioned, it is necessary that they should feel very certain of their grounds for believing that they can redeem the loans they may thus raise. For this it is necessary that the circumstances of the estate should be accurately known. It often happens that in the case of very involved estates the proprietors do not call in the Court's aid until the very last moment when it is certain that no other measure can possibly save them. It is then in the time available exceedingly difficult to secure that the liabilities of the estate have been accurately stated, and on the other hand the assets are often grossly exaggerated. Perhaps a decree has been passed, and unless money can be raised without delay the estate will be sold. But to make a full examination into all the circumstances of an estate some time is necessary and statutory powers are necessary to compel disclosure of all claims against the estate. To ascertain the real as distinguished from the book assets some time and some experience as to the real collections which can be made in the mufassal from the raiyats is absolutely necessary. It is not that debts are wilfully concealed or assets wilfully and knowingly exaggerated. But it often happens that the unsecured debts more especially are not accurately known to the proprietor, and an incurable optimism often leads the proprietor to really believe that his position is much better than it really is; and if after the Court has raised a loan it is found that claims which it has not provided for have to be met, or that the assets are less than it had reason to anticipate, the position of the Court is very seriously compromised. This is not, I am sorry to say, an imaginary danger, and the present difficulty of accurately ascertaining the circumstances of an estate and of framing a satisfactory scheme for its redemption without great danger of its being found to be unworkable is very real, and the uncertainty which the Court experience in this respect is a constant source of grave anxiety.

"It has happened that the management of the Court has been completely paralysed by the attachment by a Civil Court of an entire balance to the credit of an estate in the Government Treasury.

"To meet these difficulties section 3 of the Bill has been framed on the basis of sections 12 to 16 of the Central Provinces Act (XXIV of 1899). In a series of additions to the present Act, viz., 10A to 10E, it is provided that a notice shall issue to claimants to submit their claims (clause 10A) and to furnish proof of them (clause 10B). The Civil Courts are empowered to stay the execution of their decrees during what may be termed the period of inquiry of one year on such conditions as may appear to them to be fair and equitable (clause 10C).

"The claims will then be examined and adjudicated on [clause 10D(*1*)] subject to the right of a creditor to sue [clause 10D(*3*)].

"Clause 10D (*2*) provides that any compromise duly accepted by a creditor in regard to his debt shall be binding on him. It might perhaps be thought that such compromises would not ordinarily be effected, but it frequently is the case that a creditor will gladly accept much less than his lawful claim when he recognises that if left to recover without the help of the Court there is little chance of his recovering anything at all. If the Court do not interfere, the payment of the secured debts by sales in the Civil Courts will often swallow up the whole of the assets, leaving nothing for the unsecured debtors. In other cases the trouble and the certain expense to the creditors of suing for their claims may make them ready to forego a portion of their claims when they recognise that only on this condition is it possible for the Court of Wards to take up the management. It is necessary that such arrangements with the creditors shall be binding, and I have in fact had to deal with creditors who have attempted to repudiate their engagements on the strength of which alone the Court had taken up the estate and borrowed money to pay the debts.

"Finally, in clause 10E provision is made for surrendering the estate, if it is found that it is impossible to redeem it.

"Both in the interests of proprietors whose estates will be more easily redeemed and of creditors who will be the better able to recover their claims,

[*Mr. Hare; Mr. Chaudhuri; The President.*]

these amendments will be beneficial. The position of the Court of Wards will be greatly strengthened, and it will be able to deal with difficult cases with much greater confidence and assurance.

"The remaining clauses of the Bill call for only a few words. The object of clause 5 of the Bill is to make it unnecessary to sue in the name and under the signature of a disqualified proprietor. If a proprietor is disqualified he clearly ought not to be allowed, much less required, to take any part in the conduct of suits in connection with his estate. In practice difficulty is often experienced in getting him to take the necessary action. The same difficulty has occurred in the case of proprietors of estates or tenures managed by the Court of Wards in pursuance of an order of the District Judge under section 95 of the Bengal Tenancy Act, and clause 5 covers their case also.

"Clause 6 decides a point which is at present doubtful, and declares all employés of the Court of Wards to be public servants within the meaning of the Indian Penal Code.

"Clause 7 is framed to prevent co-proprietors who consent to their share of their estates being managed by the Court along with the shares of disqualified proprietors, and co-owners whose estates or tenures are managed by the Court of Wards under section 95 of the Bengal Tenancy Act from alienating or creating any charge upon such property during such management. With these remarks I beg leave to introduce the Bill."

The Motion was put and agreed to.

The Hon'ble MR. CHAUDHURI said:—"With your Honour's leave I would venture to remark that it would be very convenient to all Members concerned if Bills of this nature were circulated amongst Members at least a week before their introduction."

The Hon'ble THE PRESIDENT said:—Undoubtedly the object of all the officers of the Council is to meet the convenience of Hon'ble Members; but nothing can be insisted on beyond what the Rules of Business require.

The Hon'ble MR. HARE introduced the Bill and moved that it be read in Council.

The Motion was put and agreed to, and Secretary accordingly read the title of the Bill.

The Council was then adjourned to Saturday, the 2nd December, 1905.

CALCUTTA;
The 30th November, 1905.

L. C. ADAMI,
Offg. Secretary to the Bengal Council.

B. S. Press—12736—300—2-12-1905—W. M. D'C. & E. J. H.

Abstract of the Proceedings of the Council of the Lieutenant-Governor of Bengal, assembled under the provisions of the Indian Councils Acts, 1861 and 1892.

THE Council met in the Council Chamber on Saturday, the 2nd December, 1905, at 11 A.M.

Present:

The Hon'ble SIR ANDREW FRASER, K.C.S.I., Lieutenant-Governor of Bengal, *presiding*.

The Hon'ble MR. L. HARE, C.I.E.

The Hon'ble MR. B. L. GUPTA.

The Hon'ble MR. P. O'KINEALY, Advocate-General of Bengal.

The Hon'ble MR. E. W. COLLIN.

The Hon'ble MR. R. W. CARLYLE, C.I.E.

The Hon'ble MR. L. P. SHIRRES.

The Hon'ble MR. G. GORDON.

The Hon'ble MR. C. G. H. ALLEN.

The Hon'ble MR. C. F. LARMOUR.

The Hon'ble BABU NALIN BEHARI SIRCAR, C.I.E.

The Hon'ble MR. J. CHAUDHURI, M.A.

The Hon'ble ASIF KADR SAIYID WASIF ALI MIRZA, of Murshidabad.

The Hon'ble RAJA BAN BEHARI KAPUR, C.S.I.

The Hon'ble BABU JOGENDRA NATH MUKHERJEE, M.A., B.L.

The Hon'ble MR. J. D. NIMMO.

The Hon'ble MR. SYED SHURFUDDIN.

NEW MEMBERS.

The Hon'ble MR. E. W. COLLIN and the Hon'ble MR. SYED SHURFUDDIN took their seats in Council.

QUESTIONS AND ANSWERS.

DEVELOPMENT OF INDIGENOUS INDUSTRIES.

The Hon'ble MR. CHAUDHURI, in the absence of the Hon'ble BABU AMBIKA CHARAN MAZUMDAR, asked:—

Is it or is it not a fact that Government is strongly in favour of the development of indigenous industries in this country? If it is, will the Government be pleased to take some action in view of the impetus given by the Swadeshi movement—

(*a*) to develop the weaving industry by introducing and popularising the fly-shuttle and other looms through the agency of the various District Boards and Municipalities?

(*b*) to introduce and facilitate the cultivation of cotton through the same agencies or through the Government Khas Mahal Department in each district?

The Hon'ble MR. CARLYLE replied:—

"Government is in favour of the development of indigenous industries in this Province. Whether the Swadeshi movement in Bengal has given any real impetus to the development of indigenous industries it is too early to judge. A scheme for the establishment of a school at Serampore for the teaching of improved methods of hand-weaving in silk, cotton and wool has been submitted to the Government of India. It is anticipated that this scheme, if sanctioned, will give the District Boards and Municipalities an opportunity of showing their interest in the matter. It will be seen from the annual resolution regarding the working of District Boards in Bengal of the last three years that everything possible is being done to introduce and popularise the fly-shuttle and other looms through the agency of District Boards. As regards the cultivation of cotton, this has been dealt with in the reply to another question by the Hon'ble Babu Ambika Charan Mazumdar."

GROWTH OF COTTON IN BENGAL.

The Hon'ble MR. CHAUDHURI, in the absence of the Hon'blo BABU AMBIKA CHARAN MAZUMDAR, asked:—

Will the Government be pleased to inquire whether it is not desirable to start a few model farms in Bengal for the cultivation of cotton? And will the Government be pleased to consider the advisability of supplying either through its Khas Mahal Department in each district or through the District Boards good cotton seeds to *bonâ fide* cultivators who may be anxious to grow the same?

The Hon'ble MR. CARLYLE replied:—

"In connection with the proposed reorganization of the Agricultural Department, this Government has submitted to the Supreme Government a scheme for the establishment of an experimental farm in each Division of the Province. One such farm was to be established every year. It is also proposed to establish a number of demonstration or model farms gradually after the experimental farm stations have proved what lessons are likely to be useful to the raiyats. The Government of India has generally approved of these suggestions.

These experimental and demonstration farms will be for all important crops. Cotton at present is of very small importance in the Province. In 1904-1905 the area under cotton in Bengal was only 90 thousand acres out of 9 million acres in all India, or only 0·47 per cent. of the total. It is therefore not proposed to start any experimental or model farms solely for the cultivation of this crop.

The improvement of the crop in this Province has, however, engaged the attention of the Agricultural Department for sometime past. Attempts are

[*Mr. Carlyle; Raja Ban Behari Kapur.*]

being made to improve the outturn and quality of the local varieties of cotton by selection of seed in the important cotton-growing districts of Saran, Muzaffarpur and Singhbhum. This was undertaken at the instance of the Government of India. Last year, the total cost of the operations came to Rs. 2,275. The selected seeds were distributed free to picked cultivators on their agreeing to simply return the same quantity of seed *plus* 25 per cent. when the next crop was harvested. The improvement of a crop by seed selection, however, is a slow process.

Attempts are also being made to introduce superior varieties of cotton from Egypt and America as also from other provinces of India. The quantities of seed distributed in 1904 and again in 1905 will appear from the Appendix. The seeds were distributed to raiyats in Khas Mahals and Wards' Estates and also to private gentlemen interested in cotton cultivation. No definite results have yet been obtained. The experiment was a failure last year owing to excessive rains during the monsoon and excessive cold in winter. The results of this year's trial have not yet been reported. Our conditions, especially rainfall, are probably against us in this attempt. It is, however, proposed to continue the experiment, but it may be well to recognise that the question is at the experimental stage, and it is too early to recommend any particular variety or varieties to the ordinary cultivators who can ill afford to take the risk of a failure."

APPENDIX.

Cotton seed distributed in 1904.

Egyptian—		
Yannovitch	400	lbs.
Abbassi	10	,,
Metaffifi	10	,,
American—		
Allen's Hybrid	100	,,
Boyd's Prolific	100	,,
Indian—		
Broach (Gujrat)	1,400	,,
Bani (C P.)	80	,,
Jari (do.)	80	,,
Dharwar (acclimatized American)	200	,,

Cotton seed distributed in the current year 1905.

Egyptian	480	lbs.
American—		
Allen's Hybrid	18	,,
Texas Long Staple	3	,,
,, Big Boll	6	,,
Shine's Prolific	3	,,
Doughty	3	,,
King's Improved	4	,,
Australian (hybrids)—		
Caravonica No. 1	1	lb.
Ditto Kidney	1	,,
Indian—		
Bani (C. P.)	480	lbs.
Jari (do.)	80	,,
Buxi (Singbhum)	120	,,
Broach	680	,,
Dhurwar (acclimatized American)	280	,,
Tree cotton from various parts of Bengal ...	75	,,

MINISTERIAL ESTABLISHMENTS IN MUNSIFS' COURTS.

The Hon'ble Raja Ban Behari Kapur, in the absence of the Hon'ble Amir Kadr Saiyid Wasif Ali Mirza, of Murshidabad, said:—

It is said that the ministerial establishments attached to the Munsifs' Courts are undermanned and overworked.

[*Mr. Gordon*; *Asif Kadr Saiyid Wasif Ali Mirza*; *Mr. Shirres*; *Mr. Carlyle.*]

Would Government be pleased to take the matter into its kind consideration and grant the said establishments what relief, if any, they might appear to stand in need of?

The Hon'ble MR. GORDON replied:—

"The question of the work done in the offices of the Courts of the Munsifs of this Province and the establishment required for the purpose of carrying on such work with economy and expedition was investigated by a Special Commission, which submitted a report on the 31st March, 1890. Upon receipt of this report, the Government issued a circular laying down the principles upon which the establishments were to be maintained. Subsequently from time to time, at the instance of District Judges, additional establishments were sanctioned. About a year ago a further circular was addressed to District Judges empowering them to entertain additional temporary establishments on the conditions laid down in the orders of the 14th March, 1892. A similar question was asked in Council in March, 1904, and the reply then given was that the Lieutenant-Governor must look to the District Judge to inform him of any need for additional establishment in any particular district. The whole question is at present under the consideration of the Committee on the salaries of Ministerial Officers; and the Lieutenant-Governor will be glad to grant relief in any case where it may appear that there is need of it."

EXPENDITURE BY DISTRICT BOARDS FOR DRINKING-WATER.

The Hon'ble ASIF KADR SAIYID WASIF ALI MIRZA, of Murshidabad, asked:—

Will the Government be pleased to state whether it considers the percentage of receipts expended by each District Board for the improvement of the supply of drinking-water in each district as sufficient to meet the needs of each locality?

If not, will the Government be pleased to issue instructions insisting upon its repeated orders in this respect being strictly carried out in future?

The Hon'ble MR. SHIRRES replied:—

"No such orders as the Hon'ble Member suggests have been issued by Government. Probably the reference is to the opinion expressed by Sir Charles Elliott, when reviewing the reports on the working of the District Boards in Bengal during the year 1894-95, that every District Board might properly set apart at least the sum of Rs. 5,000 a year for the improvement of water-supply.

Information regarding the expenditure in 1904-1905 will be found in paragraph 30 of the Resolution on the working of District Boards, published in the Calcutta Gazette of 22nd November, 1905. At the commencement of the current year large grants for the purpose of improving the financial position of District Boards were placed at the disposal of Commissioners of Divisions, but information regarding the expenditure is not yet available."

ENCROACHMENTS UPON PASTURE LANDS.

The Hon'ble ASIF KADR SAIYID WASIF ALI MIRZA, of Murshidabad, asked:—

Has the Government received any complaints regarding encroachments made upon pasture lands in Bengal and the diminution of facilities for grazing cattle in the villages?

If so, will the Government be pleased to state whether it considers legislation called for for preserving in each village a sufficiently large area for purposes of pasturage only?

The Hon'ble MR. CARLYLE replied:—

"Government is aware of the fact that encroachments have been and are being made upon pasture land, and that consequently less grazing is left

for cattle. Government is not prepared at present to introduce legislation for the purpose of preserving in each village a sufficiently large area for purposes of pasturage only, as it would involve the acquisition of extensive tracts of land at a cost which would be prohibitive. Government does all in its power when settlements are made to provide for the preservation of grazing lands in villages. This, for example, was done in the case of the Orissa settlement. A clause was inserted in the *kabuliyats* binding zamindars to preserve as grazing ground plots specified in a schedule annexed to their *kabuliyats*. Under the *kabuliyats* also, they were required to take no rent or grazing charge and, if required by the Collector, to take action in the Courts to eject trespassers from these plots."

SANSKRIT *TOLS* IN BENGAL.

The Hon'ble ASIF KADR SAIYID WASIF ALI MIRZA, of Murshidabad, asked:—

Is it a fact that there has been of late a considerable falling off in the number of Sanskrit *tols* in Bengal and of *tol*-going pupils?

If so, will the Government be pleased to state—

(*i*) whether it has under consideration any scheme to improve the present state of things, and

(*ii*) whether the Government thinks it desirable that a Commission should be appointed to inquire into and report upon the matter?

The Hon'ble MR. GORDON replied:—

"There has been a falling off in the number of Sanskrit *tols* in Bengal, and in the number of pupils attending them; the decrease, however, is confined to unrecognized *tols*. The number of recognized *tols*, *i.e.*, those which send up candidates for the Sanskrit *tol* examinations has increased; as has also the number of pupils attending them.

In the year 1900-1901 there were 480 recognised *tols* and 7,375 pupils attending them. In the year 1904-1905 there were 587 recognised *tols* and 9,148 pupils attending them. There is thus an increase of 107 *tols* and 1,773 pupils attending them.

In 1900-1901 there were 1,191 unrecognised *tols* and 10,617 pupils attending them. In the year 1904-1905 there were 948 unrecognised *tols* with 8,268 pupils, showing a decrease of 243 *tols* and 2,349 pupils.

The total falling off of 576 pupils, a percentage of 3·2, does not seem to the Government to indicate a state of things necessitating the appointment of a Special Commission."

THE BENGAL LAND REGISTRATION (AMENDMENT) BILL, 1905.

The Hon'ble MR. HARE moved that the Bill to amend the Land Registration Act, 1876, be referred to a Select Committee, consisting of the Hon'ble Mr. Gupta, the Hon'ble Asif Kadr Saiyid Wasif Ali Mirza, of Murshidabad, the Hon'ble Raja Ban Behari Kapur, the Hon'ble Babu Jogendra Nath Mukherjee and the Mover.

The Motion was put and agreed to.

THE BENGAL COURT OF WARDS (AMENDMENT) BILL, 1905.

The Hon'ble MR. HARE also moved that the Bill to amend the Court of Wards Act, 1879, be referred to a Select Committee, consisting of the Hon'ble Mr. Gupta, the Hon'ble Raja Ban Behari Kapur, the Hon'ble Mr. Nimmo, the Hon'ble Mr. Syed Shurfuddin and the Mover. He said:—

"I do not propose to make many remarks at present. I would refer Hon'ble Members to the remarks which I made in explanation of the objects of this Bill when at last meeting I moved for leave to introduce it and to have it read. I do not think it is necessary to repeat the remarks I then made.

[*Mr. Hare; Mr. Chaudhuri.*]

"The main object of the Bill is to strengthen the position of the Court of Wards and to make it more easy for the Court to carry out one of the objects for which the Court of Wards Act has been framed, *viz.*, to rescue involved estates from ruin. For this purpose the Bill takes powers which are given to the Court of Wards in the Central Provinces, Madras and the Punjab and which it is proposed to take in Bombay. When the Court has had to raise money to redeem the debts of an estate, it will under the provisions of this Bill have power to retain the estate until the debts are repaid.

"Following the provisions of the Court of Wards Act in the Central Provinces power is also taken to compel submission of all claims. This is with a view to obtaining complete information before the Court decides finally whether it will undertake the management of an estate, and before it commits itself by borrowing money for the payment of debts. Further provisions are made which were explained at the last meeting of this Council and upon which it is not necessary to enlarge."

The Hon'ble MR. CHAUDHURI said:—"Sir, with reference to the Bill to amend the Court of Wards Act, I have a few observations to make. It may be in your recollection, Sir, that when this Bill was handed over to us at the last meeting of the Council and a motion was made by the Hon'ble Mr. Hare not only for leave to introduce the Bill, but also that it be read in Council, we could hardly realize the full import of the changes and innovations that were proposed to be introduced into the general law by this Bill. I therefore felt bound to remark that it would be much more convenient for us if such technical measures were circulated among the members some days before their introduction in Council. Since then I have had the opportunity of not only reading and considering the Bill myself, but of ascertaining the views of responsible people representing different interests who are likely to be affected by some of its chief provisions, and I apprehend some of these provisions will not meet with general approval in these provinces. I refer to clauses 10 (A) and 10 (B) of the Bill which propose that on the Court of Ward assuming charge of any person or property, and the same being notified in the official Gazette, people will be required to submit their claims against the ward or his estate within six months of such notification, giving full particulars and providing all documents (including entries in the account books) in support of such claims. All claims not so submitted will be considered discharged and documents not so produced inadmissible in evidence against the Ward in any suit by the claimant, his representatives or assigns. This no doubt favours the Ward greatly. But it trenches against the ordinary law of limitation and evidence to the prejudice of the claimants and in favour of the Ward. The classes who are most likely to be prejudicially affected by this paternal legislation on behalf of a favoured few are, the toiling tradesmen, the innocent minors and the helpless members of a Hindu family who are entitled to a maintenance out of the estate. The only recommendation for the introduction of this innovation amongst us would seem to be that the clauses referred to have been taken out of the Central Provinces Court of Wards Act. But in the form of government, in the matter of laws and legislation, in point of business, social and commercial conditions, the Presidency of Bengal and the capital of India are very differently situated from the Central Provinces. Legislation, therefore, on the primitive principle of the feudal times that the wards are entitled to special protection of the State would not, I am afraid, meet with general approbation in these provinces. The tradespeople and other creditors will perhaps say that they are ordinarily too busy to keep a constant watch over the Court of Wards' notifications in the official Gazette. It is much more convenient for them to have one general law of limitation for all their debtors than to have special laws for any special class of them. The ignorant traders who never refer to an official Gazette will be still more prejudiced by the law. As for minor claimants and creditors very few of them have legally appointed guardians, and the prospect of forfeiting their claims, on their failure to give notice within six months, is much more serious. The *Dayabhaga* law, which is peculiar to Bengal, has been very liberally construed with regard to maintenance. It entitles poor widows, daughters-in-law and other

dependent women to a subsistence out of an estate. If under the new law they fail to submit their claims within six months, they may be deprived of their food, raiment or residence. All this is not a very cheerful prospect for any of the classes concerned.

"Under such circumstances, I would suggest that this Bill should, under rule 31 (*c*), at present, only be circulated for the opinion of the Hon'ble Judges of the High Court and the public bodies in this province, and that reference to a Select Committee be deferred till such opinions are received. In case the Council should be of opinion that the Bill might, without any prejudice, be referred to-day to a Select Committee, but its deliberations deferred till such opinions are received, I would suggest that the name of the Hon'ble Babu Bhupendra Nath Basu be added to the Committee. My special reason for this is that the investigation of claims as contemplated by clause 10 (A) and clause 10 (B) is somewhat akin to search and similar work of which my hon'ble friend has a large experience, and I am sure that he will be able materially to assist the deliberations of the Committee and also represent the interests of the different sections of the community in connection with this Bill."

The Hon'ble BABU JOGENDRA NATH MUKHERJEE said:—"I beg leave to submit a few observations with respect to this Bill. I have had a few words with my friend who has just addressed the Council, and I am, generally speaking, in agreement with what he has said. It struck me as something very drastic to have all the creditors shut out if they cannot put in their claims within six months, and my reason for venturing to address the Council at this stage is that the Select Committee may be pleased to take these matters into their consideration when the time comes. As it has been stated, the conditions of Calcutta are somewhat different from the conditions of other great towns in the different Provinces in which this Act has been in operation for some time, and it is desirable that criticisms should be obtained from the different Provinces in which this Bill has been in operation, especially with reference to the effect the law has had upon the different classes of creditors as contemplated by the Bill.

"It seems to me that when an estate is in debt and under the management of the Court of Wards, the debts are not always of a very insignificant character. There are big bonds worth lakhs of rupees, and those bonds are generally registered documents, and in respect of those documents it will always be very easy for the Court of Wards to obtain information. It is only with reference to very small debts and small creditors that practical difficulty is likely to arise, and those are the very creditors whom it is desirable that the law should protect. Those are the creditors who do not read the Gazette and who have not the necessary information in order that they may cope with the situation which the present Bill will introduce. It is therefore desirable that the Select Committee should take these different matters into their consideration, and, as has been stated by my hon'ble friend Mr. Chaudhuri, that the opinion of the different Bodies and of the Honourable Judges of the High Court should be obtained and placed before the Select Committee for consideration. I also agree with my hon'ble friend that the name of the Hon'ble Babu Bhupendra Nath Basu should be added to the Select Committee."

The Hon'ble MR. GUPTA said:—"I simply wish to say at this stage, as I have been put on the Select Committee, that there is considerable force in the objections taken to this clause of the Bill, and that without committing myself to any opinion at present, I may assure my hon'ble friend that this matter will receive the careful consideration of the Select Committee. As the clause stands, it amounts to a confiscation of all debts which are not notified to the Court within six months after the publication in the local Gazette. The same desired effect of bringing all claims to the notice of the Court might be brought about by some provision of the law not quite so drastic as that embodied in this section, as for instance by providing in this section that all

debts which are not notified to the Court of Wards within six months will cease to carry interest from a certain date, that is to say, if a man has a debt and if he does not come in when the Court of Wards wants him to come in, and he thus allows interest to accumulate, he should not be allowed to realise that interest. That would probably be a penal provision sufficient to secure the purpose in view, namely, giving notice to the Court as early as possible of all outstanding debts due by the estate and giving the Court an opportunity of satisfying those debts as early as possible. It is impossible for us just now to say how this section may be modified; but on my part I quite appreciate the force of the objections that have been raised, and probably it would not be necessary to secure the end in view to adopt such a drastic measure as the confiscation of all debts which are not notified within six months when the general law of limitation gives them a much longer time to sue for those debts.

The Hon'ble MR. HARE said:—"I take up first the objection of the Hon'ble Mr. Chaudhuri that trades people are too busy to study Gazettes and to take notice of any notification that may be published in regard to those debts. I beg to point out that it would certainly be the case that the newspapers would be sure to bring to notice the fact that any estate was taken up, and that such a notification had been issued and that claims must therefore be sent in. This would be sure to be communicated by the newspapers who, as I have said, cater very well indeed for the information of the public. But I go beyond that. It is quite true, as the Hon'ble Babu Jogendra Nath Mukherjee has said, that the larger debts which are secured by bonds are registered, and therefore we can, and we do of course, ascertain all that can be known about them, but it is the unsecured debts that have to be ascertained. Those debts are not always very small. If they are very small, they may be treated as unimportant in the scheme of reclamation, but very often they are very large indeed. In the aggregate in a big estate which has had large transactions they are very large indeed, and if they come upon us unexpectedly, they may just make the difference between our being able to carry out the scheme or not. If we do not know about those, we do not provide for them. We endeavour to do the best we can for all parties including the creditors. But for our interference the creditors are left in the same position as they were, and the whole scheme of redemption of the estate and payment of debts has to be given up. We shall do a great deal to secure payment to the creditors. Every one knows that when an estate is heavily encumbered, it is quite impossible for the unsecured creditors to recover anything at all, or very little, because directly they move the secured creditor, whose mortgage claim takes precedence, comes in, the estate is sold subject to the mortgage which sometimes does not bring in enough to pay the secured creditor, and when there is a small balance left the unsecured creditors have to scramble for it. If we take up an estate which has debts in excess of its assets, we must consult the creditors and must know who they are. The creditors have to come in and agree to make remissions if we have not got money enough to pay them in full. I can assure Honourable Members that in every case which we have taken up, creditors have gladly assisted us, and have agreed to forego a portion of their claim, as it is to their interest to take as much as we can give them in preference to the other course of scrambling and getting nothing. Thus shewing that they as well as the proprietors appreciate our assistance, I think it is not unreasonable to expect that where creditors have large claims that they should, when they give credit to these gentlemen who run into debt in this way, ascertain something about them, and in their own interests keep a watch upon what they are doing. The proprietors cannot come into the Court secretly. It must be done publicly, and it will be perfectly well known what they are doing if they are being watched at all. I think creditors who are seriously interested in their claims can perfectly well secure and protect themselves.

"I have one remark to make with reference to what the Hon'ble Mr. Gupta has said. He said he thinks this is rather too drastic, and that possibly it will be sufficient to provide that interest shall not carry at all if they do

not give us intimation. I am afraid the Hon'ble Mr. Gupta has not read the whole of clause 10A, for if he had, he would have found that in the proviso we distinctly provide for that very object. We there say that there may be cases in which it is not possible for a creditor to give us intimation, and in that case if the Court be satisfied that the claimant was unable to comply with the provisions of sub-section (1), that is, to come in within six months, it may receive his claim at any time after the date of the expiry of the period aforesaid, but any claim so received shall cease to carry interest from the date of the expiry of the period aforesaid. The reason of that is that it is unsafe to take an estate unless we know all the debts and unless we have the power to say to the creditor, 'You have had an opportunity of coming in, and you really did or ought to have known that you must come in,' he may not come in at all and the whole scheme may be wrecked. If we cut off the interest it enables us to carry on and gradually in the course of time to pay off. If the interest continues and if we have not got the money to pay that interest, then it is only a question of time and the estate must be ruined. I do not think it is necessary to fully discuss this now, but I just meet these objections with such remarks as have occurred to me.

"As regards the claims of minors which the Hon'ble Mr. Chaudhuri has put forward, I do not know whether he puts them as minor creditors, that is to say, minors interested in claims against an estate or as members of the family. As minor creditors they have people acting for them, I suppose. We cannot possibly legislate to provide that people shall be looked after who are not under our care. I do not see what we can possibly do for them. They have probably got guardians, who must be trusted to take an interest in their affairs.

"As regards the claims of widows to maintenance, those are not claims which we are considering at all. Of course when a scheme is prepared we allow so much for debts, so much for interest which must be paid, so much for repayment of interest, so much for management and so much for the maintenance of the family. We must provide for that, it cannot escape us, and if we are not going to provide for the maintenance of the family, we may as well leave the estate alone. It is for the maintenance of the family and to save the estate as a family property that we are acting. If we cannot give anything to the families it is a case which is hopeless. Those who are entitled to maintenance are bound to be considered and their claims are the first to be considered.

"I would point out that it is not for the Select Committee to decide anything except that the principles of this measure are sound and the details are to be considered. On a future occasion after the criticisms have come in and have been fully considered by the Select Committee and by the Hon'ble Members of this Council they will be able to give us an opinion upon this Bill. There is no intention to rush this matter. The Select Committee is now formed, and the criticisms, as they come in, will go to them and will be fully considered. The Select Committee will not sit until a reasonable time has been allowed for the criticisms to arrive.

"As regards adding the Hon'ble Babu Bhupendra Nath Basu to the Select Committee, I do not object. I will be very glad of his assistance if he can help us in the matter. We thought the names that have been put before the Council as the gentlemen who were most likely to give us material assistance would be sufficient, but if you wish to put in another Member, we will make no objection."

The Motion, with the addition of the name of the Hon'ble Babu Bhupendra Nath Basu to the Select Committee, was then put and agreed to.

THE CALCUTTA AND SUBURBAN POLICE (SUPERANNUATION FUND) BILL, 1905.

The Hon'ble Mr. CARLYLE moved that the Bill to abolish the Calcutta Police Superannuation Fund be taken into consideration. He said:—"I will

[*Mr. Carlyle ; Babu Jogendra Nath Mukherjee.*]

not detain the Council long over this Bill, and I do not think anybody will oppose the abolishing of the fund. At present all members of the Calcutta and Suburban Police drawing Rs. 20 and under have to pay half an anna in the rupee towards their pension or gratuities. The question of abolishing the fund was considered in 1900, but it was decided not to go on with it for financial reasons. Our financial position now is such as to enable us to dispense with contributions from the Police, and it is desired that the Calcutta Police should be put on the same footing as the Provincial force in this matter, and that no deduction should be made from their pay on account of pension or gratuities. In the case of some of the officers in the Police force they get more under the present system than they would from Government. We will provide for such cases by executive order, and care will be taken that the officers will not be injured by the fund being abolished."

The Hon'ble BABU JOGENDRA NATH MUKHERJEE said:—"I beg leave to introduce a very short verbal alteration in the Bill which is a matter of description only, and I do not think there can be any doubt about the matter. Section 3 of the Bill provides that 'all sums standing to the credit of the Calcutta Police Superannuation Fund, etc.' This Fund by Bengal Act I of 1890 was not described as the Calcutta Police Superannuation Fund. It was simply described as the Police Superannuation Funds constituted respectively under section 16 of Bengal Act IV of 1866 and section 10 of Bengal Act II of 1866; so that the two Acts (II of 1866 which relates to the Suburban Police and IV of 1866 which relates to the Calcutta Police) were consolidated by this one Act (I of 1890.) The slight verbal alteration that I beg to suggest is that in the first line of clause 3, the words 'and Suburban' be inserted before the words 'Police Superannuation Fund' so that the section will run as follows: 'All sums standing to the credit of the Calcutta and Suburban Police Superannuation Fund, etc.' This insertion will also necessitate the insertion of the words 'and Suburban' in the preamble to, and in clause 1 of, the Bill."

The Hon'ble MR. CARLYLE said:—"I have no objection to make to the alteration suggested by the Hon'ble Member."

The Motion was put and agreed to.

The Hon'ble MR. CARLYLE moved that the Bill be passed.

The Motion was put and agreed to.

The Council was then adjourned to a date to be notified hereafter.

CALCUTTA;
The 13th December, 1905.

L. C. ADAMI,
Offg. Secretary to the Bengal Council.

B. S. Press—[illegible]—W. M. D'C. & E. J. H.